

04.08.2025
M/L 28
Ct. No.42
ab

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE**

WPA 20915 of 2023

Parameswar Dey & Ors.

Versus

The State of West Bengal & Ors.

Mr. Bhaskar Ch. Manna,
Ms. Moumita Biswas,
Ms. Munmun Sett

...for the Petitioners.

Mr. Amal Kr. Sen,
Mr. Jaladhi Das

...for the State.

Affidavit-of-service filed on behalf of the
petitioner is taken on record.

By the present writ petition, the petitioners seek
direction upon the respondent authorities for removal
of unauthorized construction made by the private
respondent no. 8.

The petitioner contends that the petitioners are
the owners in respect of the land with building for
business shop at Mouza-Sheepur, J. L. No 96, Khatian
nos. 1663, 164, 1665, 3053, 3052, 3051 and Plot No.
944/2328 measuring .02 decimal under P.S. Egra,
District-Purba Medinipur. The private respondent no. 8
has constructed unauthorized shop room in the
Government vested land in front of the building of the
petitioners by obstructing the ingress and egress of the

petitioners. Several representations were made before the Block Development Officer, Egra-I Block, Purba Medinipur, the SDO(Executive Magistrate), Egra as well as to the District Magistrate, Purba Medinipur, however, no steps have been taken, hence this writ petition.

Mr. Bhaskar Ch. Manna, learned Advocate for the petitioners submits that the matter may be relegated to the Panchayat Pradhan, Sahara Gram Panchayat, P.S. Egra, respondent no. 6 for consideration of the grievances of the petitioners.

Learned Advocates for the State submits that no such complaint has been made by the petitioners.

Despite service, none appears on behalf of the respondent no. 6 as well as private respondent no. 8.

Upon hearing the parties, liberty is granted to the petitioners to make a comprehensive representation before the Panchayat Pradhan, Sahara Gram Panchayat, P.S. Egra, respondent no. 6 for redressal of their grievances.

Upon submission of such representation, the respondent no. 6 is directed to consider and dispose of the comprehensive representation to be made by the petitioners by adopting the following procedure:

- (i) Cause an inspection on the property-in-question upon notice to the petitioners as well as private respondent No. 8. A report of such

inspection along with sketch map be prepared, which shall be handed over to the parties.

- (ii) Thereafter the parties shall be heard upon notice and representation of the petitioners shall be disposed of by a reasoned order which shall be communicated to the parties within a week of passing of such orders. Parties are granted liberty to produce all relevant records and documents before the Pradhan at the time of hearing.
- (iii) On the basis of materials transpiring during inspection and hearing, the proceedings shall be taken to its logical conclusion in terms of provisions of Section 23 of West Bengal Panchayat Act.
- (iv) The entire exercise shall be completed within a period of two months from date of submission of such comprehensive representation by the petitioners.

The learned Advocate for the petitioners is directed to communicate this order to the respondent no. 6, Panchayat Pradhan, Sahara Gram Panchayat, P.S. Egra for necessary compliance.

It is made clear that this Court has not gone into the merits of this writ petition.

Since no affidavits have been called for, the allegation made in the writ petition is deemed to be not admitted.

With the aforesaid directions, the writ petition being **WPA 20915 of 2023** is disposed of.

Interim order, if any, stands vacated.

All connected applications, if any, stand disposed of.

There shall be no order as to costs.

All concerned parties shall act in terms of the copy of the order duly downloaded from the official website of this Court.

Urgent Photostat certified copy of the order, if applied for, be given to the parties on compliance of all necessary legal formalities.

(Bivas Pattanayak, J.)