

11.08.2025
Sl. No. 35(DL)
Ct. No.42
ab

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

WPA 22981 of 2023

**Bhakti Bhaban Baishnab Maharaj being the
Chaitanya Bhagabat Math**

-Vs-

The State of West Bengal & Ors.

Mr. Ziaul Haque,
Mr. Santimoy Bhattacharyya

... for the petitioner

Mr. Anand Farmania (VC).
Mr. Manoj Kr. Mondal

... for the State

By the present writ petition, the petitioner seeks direction upon the respondent authorities for consideration of its representation dated 24th January, 2023 (Annexure P-3 of the writ petition).

The petitioner alleges of illegal and unauthorized construction of pacca boundary wall at the southern side of the plot No. 4442 in Mouza-Rudrapara under Police Station-Mayapur, District-Nadia undertaken by the private respondent nos. 5 and 6. The petitioner made representation before the Pradhan of the local Gram Panchayat on 24th January, 2023 for redressal of its grievances. However, no steps have been taken, hence this writ petition.

Mr. Ziaul Haque, learned Advocate for the petitioner submits that the matter may be relegated to the respondent no. 4, Pradhan, Bamanpukur-II Gram Panchayat, for consideration of the representation of the petitioner.

Mr. Anand Fermania, learned advocate for the State, through virtual mode, submits that the dispute is civil in nature. He seeks for dismissal of the writ petition.

Despite service, none appears on behalf of the respondent no. 4 and the private respondent nos. 5 and 6.

On hearing learned advocates for the appearing parties, the respondent no. 4, Pradhan, Bamanpukur-II Gram Panchayat is directed to consider and dispose of the representation of the petitioner dated 24th January, 2023 by adopting the following procedure:

- (i) Cause an inspection on the land-in-question upon notice to the petitioner as well as private respondent Nos. 5 and 6. 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 petitioner dated 24th January, 2023 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 communication of this order.

The learned Advocate for the petitioner is directed to communicate this order to the respondent no. 4, Pradhan, Bamanpukur-II Gram Panchayat along with copy of the representation dated 24th January, 2023 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 22981 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.)