

D/L.108.
January 16, 2025.
KAUSHIK

WPA No. 30330 of 2024

Sri Amar Nath Dutta
Vs.
The State of West Bengal and Others

Mr. Susanta Kuamr Laha
Mr. Hare Krishna Halder
... for the petitioner.

Mr. Debnath Ganguly
Mr. Supriya Dutta
... for the respondents 8(a) & 8(b).

Mr. Debjit Mukherjee
Ms. Susmita Chatterjee
... for the State.

Affidavit of Service filed in Court is taken
on record.

The grievance of the petitioners is directed
against non-consideration of a representation
dated November 21, 2024.

It is submitted on behalf of the petitioner
that the private respondents have unauthorisedly
and illegally carried out the construction of a
bathroom, which is adjacent to the bedroom of
the petitioner. It is also submitted that in carrying
on the impugned construction there has been no
compliance with the Panchayat Administrative
Rules, 2004.

On behalf of the private respondents, it is
submitted that there is a distance of 10 feet
between the constructed area and the home of

the petitioner and there is no chance of causing any nuisance of any kind whatsoever.

On behalf of the State respondents, it is submitted that the above dispute can only be adjudicated after a field inspection to be conducted by the appropriate State authority.

In view of the above, WPA 30330 of 2024 is disposed of by directing the respondent no. 6 to consider and dispose of the representation of the petitioner dated November 21, 2024 within a period of two weeks from the date of communication of this order to the said respondent and after giving a right of hearing to all the affected parties including the petitioners, in accordance with law and without being influenced by any observation made in this order.

It is made clear that there has been no adjudication on the merits of the case and all questions are left open to be decided by the respondent no. 6.

Since no affidavits have been called for, the allegations contained in the writ petition are deemed to have not been admitted by the respondents.

Urgent Photostat certified copy of this order, if applied for, be made available to the parties upon compliance of necessary formalities.

(Ravi Krishan Kapur, J.)