

WPA 18621 of 2024

Biswajit Malik
Vs.
The State of W. B. & Ors.

Mr. Ram Chandra Guchhait ...for the petitioner.

Mr. Ayan Banerjee
Mr. Amrita Lal Chatterjee ...for the State.

Affidavits of service filed by the petitioner are taken on record.

None appears for the Panchayat and the private respondent despite service.

Alleging unauthorized construction being raised by the private respondent without obtaining sanctioned building plan, the petitioner submitted a representation before the concerned authority on 14th June, 2024 which is yet to be considered. The petitioner seeks consideration of the same.

Upon consideration of the submission made on behalf of the parties, this Court directs the Pradhan, Dhulasimla Gram Panchayat, being the 10th respondent herein, to consider and dispose of the representation submitted by the petitioner dated 14th June, 2024 within four weeks from the date of communication of this order upon affording reasonable opportunity of hearing to all

concerned including the petitioner and the private respondent, in accordance with law.

The decision taken by the authority shall be communicated to the parties within a week thereof.

In the event the construction raised by the private respondent is found to be unauthorized/illegal, the concerned authority shall take necessary steps in accordance with law.

The writ petition is disposed of.

There shall, however, be no order as to costs.

Since no affidavit is invited, the allegations contained in the writ petition are deemed not to have been admitted.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)