

WPA 11292 of 2024

Chandratan Naskar
Vs.
The State of West Bengal & Ors.

Mr. Lakshminath Bhattacharyya For the Petitioner.

Mr. Lalit Mohon Mahata
Mr. Prasanta Behari Mahato For the State.

The grievance of the petitioner is directed against illegal and unauthorized construction by the concerned private respondent.

It is submitted on behalf of the petitioner that the private respondent is an extremely powerful and connected individual belonging to the local Panchayat.

It is further submitted on behalf of the writ petitioner that pursuant to application filed under a communication dated 3rd September, 2020, the respondent authority had informed the petitioner that no sanction was obtained in respect of the alleged construction.

In view of the above, the plea of the impugned construction being under the Prime Minister Awas Yojana (PMAY) is an afterthought, belated and *malafide*.

s.D.

The State respondents are represented and submit that they have no instructions and the primary

grievance is levelled against the Panchayat Authority.

Accordingly, the State respondents prays for an opportunity to take instructions in the matter and if necessary inform the concerned Panchayat Authorities.

Prima facie, the plea raised on behalf of the concerned Panchayat Authorities is an afterthought and belated.

In view of the above, the writ petitioner is directed to serve a notice on all the respondents save and except the State.

It is made clear that in absence of the remaining respondents, appropriate final orders would be passed on the returnable date.

The State is directed to ascertain from the Panchayat Authorities, the actual position in respect of the above construction. If necessary, the State shall use the Police Authorities to inform the concerned Pradhan.

Let this matter appear on 5th December, 2024 for further hearing.

(Ravi Krishan Kapur, J.)

