

Item No.164  
08.02.2024  
Court. No. 19  
GB

WPCRC 9 of 2024  
in  
WPA 23102 of 2022

Dr. Indranil Sinharoy  
Vs  
Ms. Tuli Mudi & Ors.

*Mr. Abhratosh Majumdar,  
Mr. Sayan Sinha,  
Mr. Adil Naser,  
Mr. Steven S. Biswas*

*...for the Applicant/Petitioner.*

*Mr. S.P. Lahiri,  
Mr. Keshab Chandra Das*

*...for the Alleged Contemnors.*

Mr. Wasim Reja, Pradhan of Babnan Gram Panchayat is present in Court. According to him, the order has been partly complied with. As the finding of encroachment is available in the reasoned order, such reasoned order has also been served upon the parties.

Mr. Majumdar, learned senior advocate contends that Section 25(3) of the West Bengal Panchayat Act, 1973 has not yet been complied with, although the law enjoins the duty upon the gram panchayat to remove any encroachment from a panchayat road.

The Pradhan, in anticipation of law and order problems, has already approached the authority for police help. The order of this Court already provided that the gram panchayat may approach the police authority, for help.

If the order is not implemented within the next ten days, the matter will be considered again. In the meantime, an answer to the Rule by Mr. Reja, is awaited.

The question of imposition of punishment will be decided upon considering his answer to the Rule.

Personal appearance is dispensed with till the next date.

Let this matter appear on February 29, 2024.

It is expected that in order to help the Pradhan, the State machinery will provide him the assistance, to perform his duties. Although a writ petition is pending, neither of the parties have been able to show before the Court that any interim order, protecting the person who has challenged the findings of the panchayat authorities, has been passed, by staying the removal of encroachment.

**(Shampa Sarkar, J.)**