

13.12.2024
Sl. No.22 (DL)
srm

WPCRC 9 of 2024
In
WPA 23102 of 2022
Dr. Indranil Sinharoy
Versus
Ms. Tuli Mudi & ors.

Mr. Abhratosh Majumder,
Mr. Sayan Sinha,
Mr. Adil Naser,
Mr. Steven S. Biswas

...for the applicant.

Ms. Tanuja Basak

...for the alleged contemnors.

The pradhan is conspicuously absent and has failed to comply with the order of this Court. No affidavit is forthcoming.

Perused the report of the District Magistrate. The said report has been prepared on the basis of a joint inspection.

This Court is of the view that if the access road, namely, L.R. Plot No.428 of Mouza – Anti under Babnan Gram Panchayat, District - Hooghly is available to the applicant to the extent that heavy vehicles can ply on the same and the access to the plots of the applicant is undisturbed, the dispute can be resolved.

The petitioner contends that L.R. Plot No.428 is a panchayat road. The report of the District Magistrate does not indicate whether the road to the petitioner's land is clear.

Although sub-paragraphs (e) and (f) of paragraph 3 of the report talks about free access and no obstruction being caused to heavy vehicles, the court directs that if there is an existing panchayat road, which leads to the petitioner's plots, the same shall be made clear and wide enough for heavy vehicles to ply.

Under such circumstances, the District Magistrate, Hooghly shall constitute a team comprising of herself, the Block Development Officer, Polba Dadpur Block, Block Land and Land Reforms Officer, Polba Dadpur Block, Pradhan, Babnan Gram Panchayat and the team will cause an inspection and demarcate the panchayat road to ensure that the said road leading to the petitioner's land must be clear and heavy vehicles can ply. The petitioner and a representative of Anti Barowaree Committee shall also be present during such inspection.

Thus, immediate steps are required to be taken in this regard. The date of the inspection shall be informed by the office of the District Magistrate, Hooghly, to the parties.

Let this matter appear on January 31, 2025 when further report will be filed by the District Magistrate.

The report submitted by the District Magistrate, Hooghly is taken on record.

The copy of the report filed by the District Magistrate be served upon the applicant.

(Shampa Sarkar, J.)