

21-11-2022
Item No.42(ML)
Subrata
Bhattacharyya

IN THE HIGH COURT AT CALCUTTA
Constitutional writ Jurisdiction
Appellate Side

WPA No.23102 of 2022
Dr. Indranil Sinharoy

-vs-

The State of West Bengal & Ors.

Mr. Abhrotosh Majumder, sr. adv.
Mr. Sayan Sinha, adv.
Mr. Steven Sourodip Biswas, adv. ...for the petitioner

Affidavit of service filed in court is taken on record.
Despite service, none appears on behalf of the respondents.

The allegation is that an order issued under section 25(2) of the West Bengal Panchayat Act, 1973 has not been implemented by the Babnan Gram Panchayat. The panchayat authorities have failed and neglected to proceed further in terms of sections 25(3) and 25(4) of the 1973 Act.

This matter has to be decided upon hearing the respondents and a report must be filed by the concerned authorities.

Accordingly, the seventh respondent, BL & LRO, Polba Dadpur Block and the eighth respondent, Upa- Pradhan, Babnan Gram Panchayat, shall file a report in order to apprise the court as to whether the construction has been made on a public road which is managed and controlled by the panchayat authorities, and also whether the authority had initiated proceedings in terms of section 25 of the 1973 Act. A copy of this order be communicated to all the respondents, including respondents no.13-23 who have allegedly raised the construction on a public road.

Let this matter appear as “Specially Fixed Motion” on December 15, 2022.

[Shampa Sarkar, J]

