

Modified Order

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Complaint No. : LWB/08/2026

ORDER SHEET

Order Date	Order No.	Order
25.06.2026	05	Kalyan Kumar Ganguly, S/o Late Bhabataran Ganguly, Guma, Chowmatha, PO – Guma, PS – Ashoknagar, Dist – North 24-Parganas, PIN – 743 704. ... Complainant -Vs - Jesmine Sahaji, Guma-I Gram Panchayat & Others. ... Respondents. The complainant Kalyan Kumar Ganguly is present along with a witness namely Milan Biswas. CW-1 Kalyan Kumar Ganguly is further examined on oath on recall and his deposition recorded in separate sheets be kept on record. Milan Biswas is examined on oath as CW-2 and his statement recorded in separate sheets be kept on record. To put succinctly, the complainant, in his complaint supported by affidavit and the deposition on oath before this Forum, states that LR plot no. 1835 within Mouza – Guma appertaining to Khatian No. 288/3 belongs to him. He has a pathway over the land of plot no. 1835 and he possesses this

		pathway exclusively. His title to the land of plot no. 1835 has been declared by the Court of Learned Civil Judge (Junior Division), 2nd Court, Barasat, North 24-Parganas in Title Suit No. 61/2014. In the recently obtained LR Parcha in respect of plot no. 1835, he finds that his name has been recorded in LR Khatian No. 288/3 in respect of the plot no. 1835. He complains that though the plot no. 1835 owned and possessed by him has not been acquired by the Government for constructing road, the Respondent No. 1, Jesmine Sahaji, the Pradhan of Guma-I Gram Panchayat, in league with her henchmen, is constantly making attempts to construct a pucca road on the land. While he resisted, some anti social elements assaulted his daughter and him. After the complainant was examined on oath on 16.04.2026 and some photocopies of documents filed by him were exhibited, this Forum vide order dated 16.04.2026 has observed that for the purpose of substantiating the allegations in the complaint, a report should be called for from the District Magistrate on the following points : (i) Whether the land in respect of plot no. 1835 appertaining to LR Khatian No. 288/3 of Mouza – Guma has been acquired by the State Government or any statutory authority for the purpose of construction of a road on the land. (ii) If the land has been acquired, what legal proceeding has been initiated for such acquisition. (iii) Whether the Respondent No. 1, Jesmine Sahaji, the Pradhan of Guma-I Gram Panchayat is making attempts to forcibly construct road on the aforesaid land of the complainant.
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		In compliance of this order, the Additional District Magistrate and District Land & Land Reforms Officer, North 24-Parganas has submitted the report. As it appears from the report, the District Magistrate concurs with the report prepared by ADM and DL&LRO. The relevant portions of the report may be reproduced as under : Part of CS Plot 1835 corresponding to LR Plot 1835 in Mouza Guma (JL-91) under PS Habra admeasuring 0.02 acres is found involved in LA Case No.-II/32 of 1961-62 for construction of Guma-Rajibpur-Balisa Road in the district of North 24 Parganas and Notified u/s 4 (1a) of WB Act-II of 1948 vide No. 4775 LA (PW) dated 16.03.1964. Award was disbursed to one Golam Kader Molla and subsequently Possession of land was delivered to the Executive Engineer, Road Planning Circle North 24 Parganas on 29.03.1963. Relevant Report from the Special Land Acquisition Officer, North 24 Parganas is enclosed herewith as Annexure-A for kind perusal. The Report of the Executive Office, Habra-II Panchayet Samity, annexed herewith as Annexure B, indicates that no road construction proposal has been approved or sanctioned by the Guma-I Panchayet in the said plot as such no work order in this regard could be retrieved from their database. However the road in question stated to be sanctioned and implemented by Zilla Parishad. As per field enquiry report of the concerned Revenue Inspector, duly forwarded by the jurisdictional BL&LRO it transpires that the petitioner is a recorded owner in LR Khatian No. 288/3 against 0.01 acres of land in the subject LR plot 1835 out of total 0.27 acres of land which is presently found to be possessed by the petitioner (Annexure C).
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		Today, during further examination of the complainant on recall, the aforesaid portions of the report were referred to him. A question has been put to him what will he say with regard to the aforesaid report. To which, he says that he concurs with the report submitted by the ADM and DL&LRO, North 24-Parganas. As the report as above acceded to by the complainant shows, 0.02 acres of land out of plot no. 1835 within Mouza – Guma was acquired by the State Government in accordance with law for the purpose of construction of Guma-Rajibpur-Balisa Road in the district of North 24-Parganas. The report further shows that no proposal for construction of any road has ever been approved by the Guma-I Gram Panchayat in respect of plot no. 1835 and the complainant owns and possesses 0.01 acre of land of LR plot no. 1835 which has been recorded in his name in LR Khatian No. 288/3. During further examination on recall today, the complainant voluntarily deposes that previously, Jesmine Sahaji, the Pradhan of Guma-I Gram Panchayat with her henchmen made attempts to grab a portion of his land to construct a road thereon. But, because of intervention of this Forum, she has now stopped making such endeavour/attempt to construct any road on any part of his land. As it appears from the deposition of the complainant and CW-2 Milan Biswas, some miscreants allegedly assaulted the complainant and his daughter on 20.03.2023. However, Exhibit-4 [photocopy of a complaint u/s 156(3), Cr.PC] reveals that over the allegations of assault on his daughter and him, a criminal proceeding has been initiated and the same is pending. As regards abuse of power on the part of the respondents, the public functionaries, as alleged in the complaint, the complainant says that at present there is no overt act of abuse
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		of power on their part. Considering the allegations of assault on the complainant and his daughter by some miscreants, it seems that there may be apprehension of threat to life and property of the complainant and his family member. In view of the above, this Forum thinks that the preliminary enquiry initiated by this Forum may be closed and the complaint may be disposed of with certain observation. Accordingly, the preliminary enquiry as initiated by this Forum is closed and the complaint is disposed of with an expectation that the Law Enforcing Authorities will extend all legal assistance to the complainant and his family member, if he and his family member apprehend threat to their life and property in future point of time. Communicate this order to the complainant immediately. Let a copy of this order be communicated to the District Magistrate, North 24-Parganas and the Superintendent of Police, Barasat Police District, North 24-Parganas for their information. Sd/- Justice Rabindranath Samanta Hon'ble Lokayukta
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