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05.12.2023
Court No. 24
AGM

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A 19553 of 2023

**Supriti Raman Pandit & Ors.
-versus
The State of West Bengal & Ors.**

**Mr. Sudeep Sanyal
Mr. Snehasis Jana
Mr. Chandrachur Lahiri
...For the Petitioners.**

**Mr. Priyankar Saha
Mr. Tapas Ballab Mondal
... For the State.**

**Mr. Pawan Kumar Gupta
Ms. Sofia Nesar
Mr. Santanu Sett
... For the private respondent.**

The petitioners allege illegal and unauthorised construction over their private land at the behest of the private respondent.

Reliance has been placed on the Record of Rights to show that Dag No. 7595, Khatian no. 11829, classified as Jol is recorded in the name of the petitioners against 0.28 decimals of land.

The petitioners contend that construction could not have been made without obtaining a proper conversion certificate, that too, over the private land of the petitioners.

A complaint lodged by the petitioners before the Panchayat is pending consideration.

Learned advocate representing the private respondent denies the allegation of the petitioners. It has been submitted that the land was purchased by the private respondent upon payment of valuable consideration. Conversion certificates in favour of the private respondent are annexed at pages 27 to 29 of the writ petition to show that the classification of the land has been permitted to be changed from Jol to Bastu.

Upon hearing the parties and upon perusal of the materials on record it appears that though the plot number of the land in question remains the same, but the other descriptions are different. From the submissions of the parties and from the documents available on record, it is evident that there is a dispute with regard to the ownership/title of the property over which the alleged construction has been made.

The Panchayat will not be the proper authority to decide the issue.

It will be open for the petitioners to approach the appropriate civil forum for redressal of their grievances, if so advised.

The writ petition stands disposed of.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)