

A556

06-11-2025

AKG

Ct. 15

WPA 2264 of 2025

**Kaji Abdul Goffar
Vs.
The State of West Bengal & Ors.**

Mr. Tapas Kumar Dey,
Mr. Ashis Kr. Datta

...for the Petitioner

Mr. Lalit Mohan Mahata,
Mr. Prasanta Behari Mahata

...for the State

Mr. Animesh Paul,
Ms. Kriti Keshri

...for Respondent No. 7

It is the allegation of the petitioner that respondent nos. 7 and 8, without obtaining any permission from the concerned Gram Panchayat authority, have undertaken construction on a property jointly owned by them.

Learned advocate appearing for the petitioner submits that a partition suit between the parties is pending before the competent Civil Court, wherein a Commissioner has already been appointed. It is further submitted that an order of status quo in respect of the property in question has also been passed by the Civil Court.

Learned advocate appearing for respondent no. 7 submits that the dispute between the parties is civil in nature, and as such, this Court ought not to entertain the present writ petition. It is further submitted that no new construction has been undertaken by his client.

The disputed questions of fact involved in this writ

petition cannot be adjudicated by this Court in exercise of its writ jurisdiction. However, respondent nos. 7 and 8 cannot undertake any construction work without obtaining due permission from the concerned Panchayat authority.

In view of the above, this writ petition is disposed of with liberty to the petitioner to make a representation before the Bagjola Gram Panchayat, Baduria, District – North 24 Parganas, for redressal of his grievance.

If such representation is filed within a period of one week from the date of communication of this order, the same shall be considered by the Panchayat in accordance with law.

The entire exercise shall be completed within a period of one month from the date of filing of such representation.

Accordingly, **WPA 2264 of 2025** stands disposed of.

Urgent certified *website* copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Kausik Chanda, J.)