

12.11.2025
ML-581
AMR
Ct.No.15

WPA 2891 of 2025

Sovan Mahapatra
-vs.-
The State of West Bengal & Ors.

Mr. Sounak Bhattacharya
Mr. Sounak Mandal

...for the petitioner

Sk. Sahajahan Ali

...for the Respondent no. 8

Mr. Asish Kumar Guha
Mr. Benazir Ahmed

...for the State

The petitioner alleges that unauthorized construction has been undertaken at the instance of respondent no. 8.

It is submitted that respondent no. 8 has commenced construction work without converting the nature and character of the land from 'Jal' to 'Bastu'. It is further alleged that no sanctioned building plan has been obtained from the concerned Panchayat Authority.

Learned advocate appearing for respondent no. 8, however, produces a conversion certificate issued by the concerned Block Land and Land Reforms Officer (BL&LRO). A sanctioned building plan from the Panchayat Authority has also been produced.

Learned advocate appearing for the petitioner contends that, since the Panchayat has jurisdiction to sanction building plans only up to an area of 150 square metres, and as the construction in question exceeds such limit, the Panchayat was not the competent authority to grant permission for the said construction.

However, such contention does not find place in the pleadings of the writ petition, which was filed solely on the allegation that the construction was being carried out without any permission from the Panchayat.

The petitioner shall, however, be at liberty to take appropriate steps before the competent authority in accordance with law.

Let the conversion certificate and the copy of the sanction plan issued by the concerned Panchayat Authority be kept with the records.

Accordingly, **WPA 2891 of 2025** stands disposed of.

Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance of all necessary formalities.

(Kausik Chanda, J.)