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13-11-2025  
AKG  
Ct. 15

**WPA 2955 of 2025**

**Bindu Bhusan Das  
Vs.  
The State of West Bengal & Ors.**

Mr. Tanmoy Chowdhury,  
Ms. Sulagna Sarkar

...for the Petitioner

Mr. K. J. Yusuf,  
Mr. Saurav Chaudhuri

...for the State

Mr. Habibur Rahman,  
Md. Ali Ahasan

...for Respondent Nos. 7 & 8

It is the allegation of the writ petitioner that respondent nos. 7 and 8 have obtained a sanctioned plan for the construction of a building on Plot No. 411, Khatian No. 21, Mouza – Lallapur, Sainthia, District Birbhum, illegally.

The petitioner contends that he had purchased the said property in the year 1983, whereas respondent no. 7 purchased the same property in 2008 from the same vendor. It is further submitted that the petitioner has instituted a title suit before the competent Civil Court asserting his right, title, and interest over the disputed property.

Learned counsel appearing for the petitioner submits that, in view of the pending title dispute, the Panchayat Authority ought not to have granted the sanctioned plan in favour of respondent nos. 7 and 8 for the construction of a

residential building.

Conversely, learned counsel appearing for respondent nos. 7 and 8 submits that although a sanctioned plan has been obtained, no construction work has yet commenced.

Before this Court, however, the petitioner has failed to produce any order of stay restraining respondent nos. 7 and 8 from undertaking construction work or from obtaining sanction from the competent authority.

In the absence of any prohibitory order issued by a competent court of law, it cannot be said that the Panchayat Authority acted illegally in granting permission for construction merely on account of the pendency of the title suit. Moreover, it is noted that no construction has yet commenced.

At this stage, I am not inclined to pass any order. Liberty is granted to the petitioner to file an appropriate application before the Civil Court in the pending suit seeking suitable relief.

Needless to mention, if any such application is filed, the same shall be considered by the learned Trial Judge in accordance with law.

Accordingly, **WPA 2955 of 2025** stands disposed of.

It is made clear that the observations made in this writ

proceeding shall not have any bearing on the pending civil suit.

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.)**