

20.08.2025
Item No. 16
Ct. No. 42
AN

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE**

WPA 3850 of 2025

**Jahedin Mondal
vs.
State of West Bengal & ors.**

Mr. Anindya Bose
Mr. Golam Mohiuddin
Mr. Mridul Biswas

... for the petitioner

Mr. Ansar Mondal, ld. AGP
Mr. Asish Dutta

... for the State

1. Affidavit of service filed by the petitioner is taken on record.
2. Pursuant to the order of this Court dated 7th August, 2025, notices have been sent to respondent nos. 6 to 16. The consignment sent to the private respondents have returned to the sender.
3. Despite service of notice, none appears on behalf of the Pradhan.
4. By the present writ petition, the petitioner seeks for a direction upon the respondent authorities, particularly, respondent no. 6 to initiate proceedings for demolition of illegal construction undertaken by private respondents over plot no. 435 Mouza Nazana classified as agricultural land.

5. The petitioner contends that the petitioner and the private respondents are the co-sharer of the property in question. The private respondents have undertaken the illegal and unauthorised construction over the subject land classified as agricultural land. The petitioner made representation on 2nd January, 2025 before the Pradhan, Moregram Gram Panchayet, respondent no. 6 herein and other respondent authorities for redressal of his grievance, however, no steps have been taken. Hence this writ petition.
6. Learned counsel appearing for the petitioner submits that respondent no. 6 be directed to take steps for initiation of proceedings in terms of the representation of the petitioner.
7. On the contrary, learned Additional Government Pleader representing the State submits that Pradhan is the answering respondent. The petitioner and the private respondents have land disputes and the matter is totally civil in nature. He files a report furnished by the Officer-in-Charge, Sagardighi Police Station dated 3rd March, 2025 which is taken on record.
10. Upon hearing learned counsel for the parties and considering the materials on record, respondent no. 6 is directed to consider and dispose of the representation of the petitioner by adopting the following procedure:

(i) Cause an inspection on the property-in-question upon notice to the petitioner as well as private respondents. A report of such inspection along with sketch map be prepared, which shall be handed over to the parties.

(ii) Thereafter the parties shall be heard upon notice and representation of the petitioner dated 26th May, 2023 shall be disposed of by a reasoned order which shall be communicated to the parties within a week of passing of such orders. Parties are granted liberty to produce all relevant records and documents before the Pradhan at the time of hearing.

(iii) On the basis of materials transpiring during inspection and hearing, the proceedings shall be taken to its logical conclusion in terms of provisions of Section 23 of West Bengal Panchayat Act.

(iv) The entire exercise shall be completed within a period of three months from date of communication of this order.

11. Since no affidavits have been called for, the allegation made in the writ petition is deemed to be not admitted.

12. It is made clear that this Court has not gone into merits of this writ petition.

13. Learned advocate for the petitioner is directed to communicate this order to respondent no.6, Pradhan, Moregram Gram Panchayet.
14. With the above directions, the writ petition being no. **WPA 3850 of 2025** stands disposed of.
15. Consequently, connected applications, if any, also stand dismissed.
16. Interim orders, if any, stand vacated.
17. There will be no order as to costs.
18. Urgent certified photostat copy of this order, if applied for, shall be given to the parties as expeditiously as possible on compliance of all necessary formalities.

(Bivas Pattanayak, J.)