

08.05.2025
Sl. No.45
Ct. No.39
ss

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

W.P.A. No. 6588 of 2025

Chandana Raut

Versus

The State of West Bengal & Ors.

Mr. Pankaj Halder
Mr. Dilip Kumar Sinha
Mr. Neelabha Bera

...for the Petitioner

Mr. Suman Ghosh
Mr. Akash Datta

...for the State-respondents.

Affidavit of service filed on behalf of the petitioner is taken on record.

This writ petition has been filed seeking direction upon the respondent authorities to remove unauthorised and illegal construction undertaken by the private respondents over the property comprised within *Sabek* Plot Nos.655, L.R. Plot No.705 under Mouza-Bhagabanbasan, J.L. No.200.

The petitioner contends that the father of the petitioner is the recorded owner of the aforesaid property-in-question. The private respondents have undertaken illegal and unauthorised construction over the property-in-question. Representation was made before the Pradhan, Radhamohanpur 1 No. Gram Panchayat on 14th March, 2025 alleging of such

unauthorised and illegal construction undertaken by the private respondents. However, no steps have been taken. Hence, this writ petition.

Mr. Pankaj Halder, learned Advocate for the petitioner submits that the representation of the petitioner be relegated to the Pradhan, Radhamohanpur 1 No. Gram Panchayat for consideration and disposal.

Mr. Suman Ghosh, learned Advocate appearing on behalf of the State submits in the similar fashion.

Despite service, none appears on behalf of the respondent No.2, Pradhan, Radhamohanpur 1 No. Gram Panchayat as well as the private respondent Nos.4 and 5.

Upon hearing learned Advocates for the respective parties, respondent No.2, Pradhan, Radhamohanpur 1 No. Gram Panchayat is directed to consider and dispose of the representation of the petitioner dated 14th March, 2025 by adopting the following procedure:

- (i) Cause an inspection on the property-in-question upon notice to the petitioners as well as private respondent Nos.4 and 5. 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 14th March, 2025 shall be disposed of by a reasoned

order which shall be communicated to the parties within a week of passing of such orders.

(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 two months from date of communication of this order.

The learned Advocate for the petitioner is directed to communicate this order to the respondent No.2, Pradhan, Radhamohanpur 1 No. Gram Panchayat along with copy of the representation dated 14th March, 2025.

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

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

With the aforesaid directions, the writ petition being **WPA 6588 of 2025** is disposed of.

Interim order, if any, stands vacated.

All connected applications, if any, stand disposed of.

There shall be no order as to costs.

All concerned parties shall act in terms of the copy of the order duly downloaded from the official website of this Court.

Urgent Photostat certified copy of the order, if applied for, be given to the parties on compliance of all necessary legal formalities.

(Bivas Pattanayak, J.)