

A589

03-12-2025

AKG

Ct. 15

WPA 12268 of 2024

Nidan Betal & Anr.

Vs.

The State of West Bengal & Ors.

Mr. Pankaj Haldar,
Mr. Suresh Kumar Sahoo

...for the Petitioners

Mr. Debjit Mukherjee,
Ms. Susmita Chatterjee

...for the State

It is the grievance of the petitioners that respondent nos. 8 and 9 are undertaking unauthorised construction on Plot No. 5658, J.L. No. 17, Joypur, Bankura. By referring to page 17 of the writ petition, which contains the record of rights for the relevant plot, the petitioners claim ownership of the said land.

The attention of this Court has further been drawn to a response issued by the concerned Panchayat under the Right to Information Act, 2005, indicating that the construction in question has been carried out by respondent nos. 8 and 9 without obtaining permission from the Panchayat Authority.

In view of the above, this writ petition is disposed of with the following directions:

a) Respondent no. 6 shall grant an opportunity of hearing to the petitioners as well as to respondent nos. 8 and 9.

b) After hearing the parties, if it is found that the construction on Plot No. 5658 has been undertaken without a sanctioned plan from the Panchayat Authority, respondent no. 6 shall refer the matter to the Sub-Divisional Officer, Bishnupur (respondent no. 4), in terms of Section 23(5) of the West Bengal Panchayat Act, 1973.

c) Needless to mention, if any such reference is made by respondent no. 6, appropriate steps shall be taken by respondent no. 4.

d) Respondent no. 6 shall comply with this order within a period of four weeks from the date of communication of this order.

Accordingly, **WPA 12268 of 2024** 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.)