

**WPA 12075 of 2025**  
**Fakir Chandra Ghosh**

**v.**

28.05.25  
Sl-18  
Ct.07  
(S.R.)

**The State of West Bengal & Ors.**

Mr. M. Karim  
Md. Zeeshanuz Zaman ... for the petitioner.

Mr. Biplab Guha  
Mr. Milon Kumar Maity ... for the State.

Mr. Sandip Ghosh  
Mr. Partha Sarkar  
... for the private respondent nos.8 & 9.

The written instruction filed by the learned advocate on behalf of the State respondent is taken on record.

The present writ petition has been filed alleging inaction on the part of the Sub-Divisional Officer, Bardhaman Sadar South, Purba Bardhaman, in considering the petitioner's application.

The petitioner alleges that the private respondents have constructed a building in contravention of the provisions of Section 23 of the West Bengal Gram Panchayat Act and Section 4C of the West Bengal Land Reforms Act. The petitioner further submits that this fact was brought to the notice of the Sub-Divisional Officer, Bardhaman Sadar South, Purba Bardhaman, by way of filing an application. However, despite receipt of the application, no effective action has been taken.

The learned advocate representing the private respondents opposes the petitioner's contention. He submits that the construction was completed in 1991.

The learned advocate representing the State respondents has submitted a report, contending that the dispute involved in the writ petition is of a civil nature. The report, as produced on behalf of the State respondents is taken on record.

Heard the learned advocates representing the respective parties and perused the materials on record. Admittedly, no civil dispute is pending between the petitioner and the private respondents. The undisputed fact remains that the Sub-Divisional Officer, Bardhaman Sadar South, Purba Bardhaman, received an application from the petitioner; however, the same has not yet been disposed of.

Taking note of the above facts, the writ petition is disposed of with a direction to the Sub-Divisional Officer, Bardhaman Sadar South, Purba Bardhaman, to decide the petitioner's application after affording an opportunity of hearing to all interested parties including the petitioner. If the SDO finds merit in the petitioner's contention, then appropriate follow up actions shall be taken. However, if the SDO finds the petitioner's contention to be without any substance, then a reasoned order shall be passed and the same shall be communicated to the petitioner. The entire exercise shall be completed within eight weeks from the date of receipt of a copy of this order.

There shall, however, be no order as to costs.

Urgent Photostat certified copy of the order if applied for, be made over to the parties as expeditiously as possible.

**(Partha Sarathi Chatterjee, J.)**