

7-8 11-11-2025
AKG
Ct. 15

WPA 13870 of 2025
Chandan Bera
Vs.
The State of West Bengal & Ors.
With
WPA 3565 of 2025
Smt. Shyamali Bag (Bera)
Vs.
The State of West Bengal & Ors.

Mr. Chittapriya Ghosh,
Ms. Priyanka Saha
...for the Petitioner in WPA 13870 of 2025
& Respondent No. 10 in WPA 3565 of 2025

Mr. Mrityunjoy Goswami,
Mr. Himangshu Ghosh
...for the State in WPA 13870 of 2025

Mr. Swapan Kr. Pal
...for the Respondent No. 10 in WPA 13870 of 2025 &
...for the Petitioner in WPA 3565 of 2025

Let the report filed by the State be kept with the records.

Both these writ petitions are taken up for hearing together in view of the common questions of fact involved.

The petitioner in WPA 13870 of 2025 and the petitioner in WPA 3565 of 2025 are siblings—brother and sister. Each alleges that the other has undertaken unauthorized construction on Plot No. 272, Mouza–Nunbarh, J.L. No. 35, Bhagwanpur, Purba Medinipur.

It is not in dispute that the petitioners in both matters are joint owners of the said plot of land.

Learned counsel appearing for the petitioner in WPA

13870 of 2025 submits that his client possesses a duly sanctioned building plan. On the other hand, learned counsel appearing for the petitioner in WPA 3565 of 2025 submits that the construction undertaken by his client is approximately 35 years old and that no new construction has recently been carried out.

In view of the aforesaid facts, I find no justification for keeping these writ petitions pending. The factual disputes involved in these two matters cannot be adjudicated in the writ jurisdiction of this Court.

It further appears that both petitioners have already submitted representations before the concerned Gram Panchayat seeking redress of their respective grievances.

Accordingly, these writ petitions are disposed of with a direction upon the Pradhan, Gurugram Gram Panchayat, Nonabirampur, Ektarpur, Purba Medinipur, to consider the representation appearing at page 17 of WPA 13870 of 2025 and the representation dated August 12, 2024, appearing at page 26 of WPA 3565 of 2025, strictly in accordance with law, after affording an opportunity of hearing to all concerned parties.

Upon completion of the hearing, the Pradhan shall pass a reasoned order and communicate the same to the parties.

The entire exercise shall be completed within a period of three months from the date of communication of this

order.

Accordingly, **WPA 13870 of 2025** and **WPA 3565 of 2025** are 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.)