

03.11.2025
ML.23

Court No.15
Sg

WPA 14268 of 2025

Hossain Sk & Ors.

Vs.

The State of West Bengal & Ors.

Mr. Niladri Sekhar Ghosh

Ms. Laboni Sikder

Mr. Souvik Dey

....for the petitioner.

Let the affidavit of service filed by the petitioner be kept with the record.

Respondent No. 8 is not represented.

Learned advocate appearing for the petitioner submits that Respondent No. 8 has constructed a house on land owned by the petitioner. It is further submitted that Respondent No. 8 has not obtained any sanctioned plan from the concerned Gram Panchayat.

It appears that, in response to an application filed by the petitioner under the Right to Information Act, 2005, the concerned officer of the Gram Panchayat clarified that, since the residential house in question has been constructed under the Bangla Awas Yojana, a scheme of the State of West Bengal, the Panchayat does not strictly require a sanctioned plan in such cases.

Learned advocate appearing for the petitioner, however, contends that the stand disclosed by the Panchayat is not sustainable, as

every construction, even if undertaken under a State scheme, requires a sanctioned plan.

It appears that the primary grievance of the petitioner concerns the right, title, and interest over the land in question. The Civil Court is the competent authority to decide such disputes. As regards the question of sanctioned plan, in the present case, it is not the case of the petitioner that the construction does not comply with the specifications of the said scheme or any deviation has occurred.

In view of the above, no further intervention by this Court is warranted. Accordingly, **WPA 14268 of 2025**, is disposed of.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all legal formalities.

(Kausik Chanda, J.)