

04.11.2025
DL. 6.
Court No.15
sg

WPA 14649 of 2025

**Fariduddin Karigar @ Fariduddin @ Foridudin
Karikar
Vs.
State of West Bengal & Ors.**

Mr. Hamidur Rahaman
....for the petitioner.

Mr. Baidurja Ghosal
Mr. Sourav Mukherjee
Mr. Saikat Mukherjee
....for the respondent nos. 9 & 10.

It appears that respondent nos. 9 and 10 are the brothers of the petitioner. The petitioner has filed this writ petition alleging unauthorized construction at the instance of respondent nos. 9 and 10 on Plot No. 349, Mouza Vatu-Kumnagar, Raninagar, Murshidabad. Learned advocate appearing for the petitioner submits that the construction was carried out without obtaining permission from the concerned Gram Panchayat.

Respondent nos. 9 and 10 are represented and submit that a civil suit between the parties concerning right, title, and interest over the property in question has been pending since 2012.

Whether the relevant building has been constructed without a sanctioned plan from the Gram Panchayat is not an issue before the civil court. Therefore, the pendency of the civil suit

cannot have any bearing on the present writ proceedings.

In view of the foregoing, the writ petition is disposed of with a direction upon the Kalinagar-II Gram Panchayat, Kalinagar, Raninagar, Murshidabad, to take steps in accordance with law, in terms of Section 23(5) of the West Bengal Panchayat Act, 1973, after giving an opportunity of hearing to all concerned parties.

The exercise shall be completed within two months from the date of communication of this order.

Accordingly, **WPA 14649 of 2025** stands disposed of.

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

(**Kausik Chanda, J.**)