

03.11.2025
ML.25

Court No.15
Sg

WPA 14366 of 2025

**Abhisake Karpa
Vs.**

State of West Bengal & Ors.

Mr. Soumyadeep Biswas
Mr. Debabrata Chakraborti
Mr. Sandeep Chakraborty
....for the petitioner.

Mr. Debasis Sur
Mr. G. Sardar
Mr. G. Malik
....for the respondent nos. 8 &9.

It appears that Respondent No. 9, on an earlier occasion, filed WPA 2014 of 2022, alleging unauthorized construction at the behest of the petitioner in the present writ petition.

It appears that the said writ petition was disposed of by a Coordinate Bench of this Court, inter alia, directing the Sub-Divisional Officer, Baruipur, South 24-Parganas, to pass necessary orders in terms of Section 23(5) of the West Bengal Panchayat Act, 1973.

The Sub-Divisional Officer, Baruipur, South 24-Parganas, accordingly on January 30, 2025, passed a demolition order against the petitioner.

The said order of the Sub-Divisional Officer was subsequently challenged by the petitioner by filing WPA 3683 of 2025, which was dismissed on April 4, 2024, by a Coordinate Bench of this Court.

The petitioner contends that the Sub-Divisional Officer directed demolition only in respect of the unauthorized portion constructed by the petitioner, and no order was passed regarding unauthorized construction undertaken by Respondent Nos. 8 and 9.

It is further submitted that there were sufficient materials on record before the Sub-Divisional Officer, Baruipur, evidencing that the construction carried out by Respondent Nos. 8 and 9 was also illegal.

The order of the Sub-Divisional Officer cannot be questioned again in this writ petition.

It, however, appears that the petitioner's allegation of unauthorized construction against Respondent No. 8 and 9 has not been considered by the concerned Panchayat.

Therefore, the concerned Gram Panchayat shall take steps in accordance with law on the basis of the petitioner's representation dated February 8, 2025, against Respondent No. 8 and 9.

Accordingly, **WPA 14366 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.**)

