

04.11.2025
DL. 23
Court No.15
sg

WPA 14881 of 2025

**Samar Kanti Das
Vs.
The State of West Bengal & Ors.**

Mr. S.P. Dalapati
Mr. Tamal Taru Panda
Mr. A. Santra
Mr. Safik Dewan
....for the petitioner.

Mr. Subhrangsu Panda
Ms. Haritri Roy
Mr. Ratul Ghosal
Mr. Anupam Singha
....for the respondent no.8.

Mr. Sekhar Mustafi
Ms. Reshma Chatterjee
....for the State.

Affidavit of service filed by the petitioner be kept with the record.

The petitioner alleges that an unauthorized construction has been carried out at the instance of respondent no. 8. It appears that the petitioner and respondent no. 8 are related to each other.

The petitioner contends that, without obtaining permission from the concerned Gram Panchayat, respondent no. 8 has constructed a residential building on Dag No. 332, Khatian No. 492, J.L. No. 43, within the jurisdiction of Talpatighat Coastal Police Station, Purba Medinipur.

Respondent no. 8, however, submits that the petitioner himself has raised an unauthorized construction on the self-same plot and that his own residential building is also without sanction. It is further submitted by respondent no. 8 that both parties have constructed their respective buildings on the same plot of land.

It appears that the petitioner lodged a complaint before the Gram Panchayat on May 16, 2024, regarding the alleged unauthorized construction undertaken by respondent no. 8. Likewise, learned advocate appearing for respondent no. 8 has produced a representation dated July 27, 2025, addressed, inter alia, to the concerned Gram Panchayat, alleging unauthorized construction at the behest of the petitioner.

It is the case of both parties before this Court that their respective representations have not yet been considered by the Gram Panchayat.

In view of the aforesaid facts, the writ petition is disposed of with a direction upon the concerned Gram Panchayat to take appropriate steps in accordance with Section 23(5) of the West Bengal Panchayat Act, 1973, upon considering the representations made by both the petitioner and respondent no. 8, preferably within a period of three months from the date of communication of this order.

Accordingly, **WPA 14881 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.**)