

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A 15146 of 2025

**Arati Dalui
-versus
The State of West Bengal & Ors.**

**Sk. Toslim Ali
... for the petitioner
Ms. Bratati Roy Chowdhury
... for the State
Mr. S.M. Obaidullah
Mr. Roni Chowdhury
... for the respondent Nos.8**

The writ petitioner claims to be a Bargadar in respect of plot Nos. 1093, 1094, 1095, and 1096 under Mouza Jhikira, Amta, Howrah. It is submitted that the petitioner's father was a recorded Bargadar.

The petitioner alleges that respondent no. 8 has undertaken unauthorized construction on the said "Sali" land without obtaining permission from the Panchayat or by altering the nature of the land.

Learned counsel appearing for respondent no. 8 claims ownership of the said plots by virtue of a sale deed. It is, however, not disputed before this Court that the nature of the land has not yet been converted and no permission has been obtained from the Panchayat.

It is an admitted position that a civil suit is pending before the competent Civil Court concerning the right, title, and interest of the respective parties.

In the present writ petition, there is no scope to adjudicate all issues raised. However, in view of the admitted position that construction work has been undertaken without permission from the Panchayat Authority and without converting the nature of the land from “Sali” to “Bastu”, I direct the Pradhan, Jhikira Gram Panchayat, to take appropriate steps in accordance with law based on the representation dated June 10, 2025, submitted by the petitioner. It is made clear that the Panchayat shall not permit respondent no. 8 to continue any construction on the said land unless proper permission is obtained from the competent authority regarding conversion of the character of the land and from the Panchayat Authority for construction.

It is clarified that this order shall not have any bearing on the civil suit pending between the parties.

Accordingly, **WPA 15146 of 2025** is disposed of.

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

(**Kausik Chanda, J.**)