

04.12.2025
SI No.A612
Ct. No.15
S.A.

WPA 17261 of 2024

Shyamal Halder
-vs-
The State of West Bengal & Ors.

Mr. Bidhayak Lahiri
Mr. Md. Kalam
Ms. Bhaswati Lahiri
...for the petitioner
Mr. Sabyasachi Mondal
Mr. A.S. Fazlul Karim
Mr. Sarthak Dey
Ms. Puja Naskar
Ms. Payel Khanra
...for respondent no.3
Mr. Md. Mokaram Hossain
Mr. Md. Naimul Islam
...for respondent nos.6

The petitioner alleges that respondent no. 6 has undertaken construction on a passage, thereby causing obstruction to the ingress and egress from the petitioner's residential house.

Learned counsel appearing for respondent no. 6, on the other hand, denies the allegation and submits that the construction was carried out after obtaining a sanctioned plan from the Panchayat Authority.

Learned counsel appearing for the Panchayat Authority (respondent no. 3) also submits that respondent no. 6 constructed the building after obtaining the requisite sanctioned plan.

In view of the foregoing, the petitioner's allegation that respondent no. 6 carried out

construction without permission from the Panchayat Authority is found to be baseless. With regard to the allegation of encroachment, this Court is not the appropriate forum to adjudicate such a disputed factual issue.

Accordingly, this writ petition is not entertained. The petitioner remains at liberty to approach the competent Civil Court for redressal of his grievance in accordance with law.

Accordingly, **WPA 17261 of 2024** is dismissed.

Urgent photostat certified copy of this order, if applied for, be supplied to the learned advocates for the parties on usual undertakings.

(Kausik Chanda, J.)