

A617

04-12-2025

AKG

Ct. 15

WPA 18145 of 2024
Sk. Borhan Ali
Vs.
The State of West Bengal & Ors.

Mr. Samirul Sardar

...for the Petitioner

Ms. Dipanwita Ganguly

...for the State

The petitioner claims to be the owner of a portion of Plot No. 302, Khatian No. 2221, under Mouza Kalyanpur, Howrah.

The petitioner's grievance is that respondent no. 9 has undertaken unauthorized construction in front of the said plot, thereby obstructing his access to the portion of the land owned by him. It is further submitted that respondent no. 9 did not obtain any permission from the concerned Panchayat prior to undertaking such construction. The petitioner also submits that he has filed a civil suit and, despite an injunction order passed in the said suit, respondent no. 9 continues with the alleged unauthorized construction.

Despite service, respondent no. 9 has chosen not to appear or be represented.

It appears that the petitioner made a representation before the Panchayat on May 30, 2024, regarding the alleged unauthorized construction.

In view of the above, this writ petition is disposed of

with a direction to the Pradhan, Kalyanpur Gram Panchayat (respondent no. 6) to consider the petitioner's representation in accordance with law. If it is found that respondent no. 9 has undertaken any construction without permission from the concerned Panchayat, respondent no. 6 shall take necessary steps under Section 23(5) of the West Bengal Panchayat Act, 1973, within one month from the date of communication of this order.

It is needless to mention that no unauthorized construction shall continue at the relevant premises at the behest of respondent no. 9. Respondent nos. 6 and 8 shall ensure that appropriate action is taken immediately.

Accordingly, **WPA 18145 of 2024** stands disposed of.

Urgent certified *website* copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Kausik Chanda, J.)