

Court No. 15

22.12.2025

(Item No.157)

(AB)

W.P.A. 17413 of 2025

Debabrata Chakraborty
VS
The State of West Bengal & Ors.

Mr. Debabrata Ray
Mr. Gazi Faruquq Hossain
Ms. Sarbani Mukhopadhyay
.... For the petitioner
Mr. Vimal Kumar Shahi, Ld. AGP (VC)
Ms. Susmita Chatterjee
.... For the State
Mr. Partha Sarathi Mondal
Ms. Tethi Sarkar
.... For respondent nos. 8-15 &
17-21

The petitioner alleges that unauthorized construction has been carried out at the instance of Respondent Nos. 8 to 15 and 17 to 21.

Learned advocate appearing for the petitioner submits that, in the course of such construction, land belonging to the petitioner has been encroached upon. It is further alleged that the construction has been raised without conversion of the character of the land and that the private respondents have no right, title, or interest in the land in question.

This Court, in the present writ petition, is concerned only with the issue as to whether the building in question has been constructed pursuant to a sanctioned plan. The questions of alleged encroachment and the respective right, title, and interest of the parties cannot be adjudicated in writ

jurisdiction. The petitioner is at liberty to approach the competent Civil Court for adjudication of those issues.

Learned advocate appearing for the private respondents has produced a copy of the sanctioned building plan before this Court. Let the same be taken on record. A copy of the sanctioned plan has been handed over to learned advocate appearing for the petitioner.

In view of the aforesaid, there is no justification to keep the present writ petition pending.

This order shall not preclude the petitioner from instituting an appropriate civil suit or taking any other remedy available in law for challenging the sanctioned plan.

Accordingly, **WPA 17413 of 2025** 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.)