

26-09-2025
ct no. 13
Sl. 6
sp

MAT 1310 of 2025
With
CAN 1 of 2025
Shyamsundar Naskar & Anr.
-Versus-
The State of West Bengal & Ors.

Mr. Debasis Sur,
Mr. Goutam Sardar.

...for the appellants.

Mr. Amal Sen, ld. A.A.G.,
Mr. G. Das.

..for the State.

Ms. Cardina Roy,
Ms. Susmita Senapati,
Mr. Samir Halder.

..for the private respondent.

1. The appeal is directed against an order dated 29th July, 2025 passed by a Single Bench of this Court.
2. The grievance of the appellants/writ petitioners before the Single Bench was that the private respondent was effecting construction on Sali land (agricultural) without conversion and that too without sanction plan or permission from the local Panchayat. The Single Bench found that the private respondent had produced a sanction

accorded by the Assistant Engineer, South 24-Parganas Zilla Parishad. Admittedly, the Zilla Parishad is a body, above the Panchayat and the property itself falls within the jurisdiction of the Zilla Parishad.

3. The private respondent has also produced before the Single Bench a certificate of conversion of land from Sali (agricultural) to Bastu (residential).
4. In that view of the matter, the impugned order dated 29th July, 2025 calls for no interference.
5. The arguments of the learned counsel for the appellants that only a portion of the land has been converted from Sali to Bastu, cannot be entertained before this Court. Such arguments ought to have been advanced before the Single Bench.
6. In any event counsel for the private respondent submits that the entire land has been converted to Bastu land.
7. In view of the aforesaid, the impugned order dated 29th July, 2025 calls for no interference.
8. Hence, MAT 1310 of 2025 shall stand dismissed.
9. Consequently, CAN 1 of 2025 shall also stand dismissed.

10. Interim orders, if any, shall stand vacated.
11. There shall be no order as to costs.
12. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)

(Ajay Kumar Gupta, J.)