

Sl. No.ML633
10.12.2025
Suman
Ct. 15

WPA 19639 of 2024

Prasun Saha
Vs.
The State of West Bengal and Ors.

Mr. Partha Sarathi Das
Ms. Shanta Sarkar
Mr. A. Chanda
..for the petitioner

Mr. S. Dutta
Mr. Himadree Ghosh
..for the private respondent

The petitioner alleges that his neighbours, respondent nos. 9 to 12, are undertaking unauthorised construction encroaching upon a portion of his land. Learned counsel appearing for respondent nos. 9 to 12 denies the allegations. It is submitted that the construction has been carried out on land owned by them and that respondent nos. 9 to 12 possess a sanctioned plan issued by the Panchayat authority.

Let the sanctioned plan produced by respondent nos. 9 to 12 be kept with the records.

Allegation of construction without sanctioned plan is, therefore, not substantiated.

In view of the specific denial of the allegation of encroachment, there is no scope for adjudication of

such disputed factual issues in the present writ proceedings.

This order shall not, however, preclude the petitioner from approaching the competent Court by filing an appropriate application for redressal of his grievance.

Accordingly, **WPA 19639 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.)