

A637

11-12-2025

AKG

Ct. 15

**WPA 19947 of 2024**

**Firoj Islam Mallick & Ors.**

**Vs.**

**The State of West Bengal & Ors.**

Mr. Keshab Chandra Das,  
Ms. Aparajita Mondal,  
Mr. Biplab Adak

...for the Petitioners

Mr. Gausal Alam,  
Ms. Tanima Sengupta

...for the State

Let the report filed by the State be kept with the records.

The petitioners assert that they are the owners of a portion of L.R. Plot No. 80, J.L. No. 49, Mouza – Paschim Mallickpur, Haripal, Hooghly.

It is alleged that respondent no. 11 also holds 0.58 acres of land in the said plot. The land is classified as “sali” (agricultural land). The petitioners contend that respondent no. 11 has constructed a poultry farm on this land.

The petitioners further allege that respondent no. 11 has undertaken such construction without first converting the classification of the land. It is additionally alleged that no permission was obtained from the Panchayat Authority for the construction of the poultry farm, and that a portion of the petitioners’ land has been encroached upon.

Respondent no. 11 is not represented. Let the affidavit of service filed by the petitioners be kept with the records.

A Writ Court cannot appropriately adjudicate the issue of encroachment. However, it appears that the petitioners have submitted a representation before the Pradhan, Narayanpur Gram Panchayat, respondent no. 9, alleging that the poultry farm has been constructed without securing permission from the Panchayat Authority.

Learned counsel for the State submits that an inspection was carried out by the concerned Revenue Officer, who also found that the construction was undertaken without permission from the Panchayat Authority and without obtaining approval from the other competent authorities required to operate the said farm.

In view of the above, this writ petition is disposed of with a direction upon the Pradhan, Narayanpur Gram Panchayat, respondent no. 9, to consider the representation of the petitioners appearing at page 15 of the writ petition. If any unauthorised construction is detected, the Pradhan, Narayanpur Gram Panchayat, respondent no. 9, shall take steps in terms of Section 23(5) of the West Bengal Panchayat Act, 1973.

The entire exercise shall be completed within a period of one month from the date of communication of this order.

Accordingly, **WPA 19947 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.)**