

**Sl. No.ML.662.**  
**11.12.2025**  
**Suman**  
**Ct. 15**

**WPA 21502 of 2024**

**Suman Maiti**  
**Vs.**  
**The State of West Bengal and Ors.**

Mr. Samiran Mondal  
Mr. A. Dan  
Mr. Nitish Samanta  
Ms. S. Mitra  
..for the petitioner

Mr. Kanailal Samanta  
..for respondent no.7.

Ms. Jayeeta Sinha  
Mr. Sandip Mondal  
...for the State

Alleging unauthorised construction at the behest of respondent no. 7, the petitioner filed WPA 12695 of 2022. A Co-ordinate Bench of this Court, by order dated April 13, 2023, directed the competent authority to pass a reasoned order after hearing the parties.

In compliance with the said order, the Pradhan of Kismatnaikundi Gram Panchayat passed a reasoned order dated August 8, 2024, holding, inter alia, that the building of respondent no. 7 was not unauthorised. The petitioner has now challenged the said order. Before the Panchayat Pradhan, respondent no. 7 submitted a xerox copy of a permission letter

dated December 17, 1998, permitting him to construct a two-storied residential building. From the order of the Pradhan, it further appears that the original permission letter was also produced at the time of hearing.

The building in question was found to be a two-storied residential structure, and the Panchayat Pradhan was satisfied that the construction had been carried out with due permission from the Panchayat. The Pradhan observed that the construction was made approximately 25 years ago, and the petitioner did not, at any earlier point, raise any objection with regard to the said building.

Learned counsel appearing for the petitioner nonetheless submits that respondent no. 7 ought to have produced the sanctioned plan before the authority to demonstrate that the construction was not unauthorised. I am unable to accept this contention, as it has been recorded above that the original permission letter dated December 17, 1998 was indeed produced before the Panchayat Pradhan.

I am of the view that, after the lapse of about 25 years, respondent no. 7 cannot reasonably be required to produce the sanctioned plan at the behest of the petitioner. There is no scope to disturb the findings of fact arrived at by the concerned Panchayat Pradhan, and the order does not warrant interference.

Accordingly, **WPA 21502 of 2024** is disposed of.

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.)**