

17.09.2025  
Item No. 20  
Ct. No. 42  
AN

**IN THE HIGH COURT AT CALCUTTA  
CONSTITUTIONAL WRIT JURISDICTION  
APPELLATE SIDE**

**WPA 21543 of 2025**

**Debdulal Das  
vs.  
State of West Bengal & ors.**

Mr. Robiul Islam  
Mr. Maqsooq Rahman  
... for the petitioner

Mr. Lalit Mohan Mahata, Id A.G.P.  
Mr. Prasanta Behari Mahata  
... for the State

Mr. Shamim Ul Bari  
Ms. Asmita Mitra  
... for respondent no. 8

1. Affidavit of service filed on behalf of the petitioner is taken on record.
2. The petitioner contends that he is a resident under the Santipur Gram Panchayat. The private respondent no. 8 is the owner of a plot of land comprising an area measuring 18 decimals in plot no. 1276, Khatian No. 5880, Mouza Santipur within the limits of Santipur Gram Panchayat, Police Station Kolaghat, Dist. Purba Medinipur. The private respondent has erected an unauthorised construction with poor materials and such construction is standing in a dilapidated condition endangering the life and property of the local villagers. The petitioner made representations before

the local Gram Panchayet on 20<sup>th</sup> August, 2025, however, no steps have yet been taken.

3. Being aggrieved by such inaction of the local Gram Panchayat, the petitioner has preferred this writ petition.
4. Mr. Robiul Islam, learned counsel appearing for the petitioner submits for relegating the matter to the local Gram Panchayet to consider such representation of the petitioner.
5. Mr. Shamim Ul Bari, learned counsel appearing for the private respondent no. 8 submits that the private respondent has sought for a permission from the local Gram Panchayet to carry out the work of renovation of the dilapidated building, however, no permission has been given so far.
6. None appears for the State.
7. Mr. Lalit Mohan Mahata, learned Additional Government Pleader who usually appears for the State is requested to represent the State in this matter. Let his appointment be regularised by the concerned authority.
8. Learned counsel appearing for the petitioner is directed to handover a copy of the writ petition and its annexures to Mr. Mahata.
9. Mr. Mahata, learned Additional Government Pleader for the State also submits in the similar fashion as contended by the petitioner.

10. Considering the submissions advanced on behalf of all the parties, respondent no. 7, Santipur Gram Panchayet – I is directed to consider the representation of the petitioner dated 20<sup>th</sup> August, 2025 by adopting the following procedure.

(i) Cause an inspection on the property-in-question upon notice to the petitioner as well as private respondent no.8. A report of such inspection along with sketch map be prepared, which shall be handed over to the parties.

(ii) Thereafter the parties shall be heard upon notice and representation of the petitioner dated 26<sup>th</sup> May, 2023 shall be disposed of by a reasoned order which shall be communicated to the parties within a week of passing of such orders. Parties are granted liberty to produce all relevant records and documents before the Pradhan at the time of hearing.

(iii) On the basis of materials transpiring during inspection and hearing, the proceedings shall be taken to its logical conclusion in terms of provisions of Section 23 of West Bengal Panchayat Act.

(iv) The entire exercise shall be completed within a period of three months from date of communication of this order.

11. Learned advocate for the petitioner is directed to communicate this order to respondent no. 7, Santipur Gram Panchayet – I along with a copy of the

representation dated 20<sup>th</sup> August, 2025 for necessary compliance.

12. Since no affidavits have been called for, the allegation made in the writ petition is deemed to be not admitted.

13. It is made clear that this Court has not gone into the merits of the case.

14. Accordingly, **WPA 21543 of 2025** stands disposed of.

15. Consequently, connected applications, if any, also stand dismissed.

16. Interim orders, if any, stand vacated.

17. There will be no order as to costs.

18. Urgent certified photostat copy of this order, if applied for, shall be given to the parties as expeditiously as possible on compliance of all necessary formalities.

**(Bivas Pattanayak, J.)**