

18.12.2025
Sl No.A668
Ct. No.15
S.A.

WPA 21978 of 2024

Suresh Ranjan Singha

-vs-

The State of West Bengal & Ors.

Mr. Salil Kumar Maiti

Ms. Dolan Samanta

...for respondent no.5

Mr. Amit Kumar Ghosh

Mr. Anujit Mukherjee

...for the private respondent

The petitioner is aggrieved by the grant of a sanctioned building plan in favour of his sister, respondent no. 12. The petitioner submits that he had earlier approached this Court by filing WPA 427 of 2023, challenging the said sanctioned plan.

By an order dated February 6, 2023, a co-ordinate Bench of this Court granted liberty to the petitioner to approach the concerned Gram Panchayat by way of a representation and directed the Panchayat to pass a reasoned order upon consideration of such representation.

Learned counsel appearing on behalf of the petitioner submits that the aforesaid order has not been complied with. Consequently, by filing the present writ petition, the petitioner seeks implementation of the order dated February 6, 2023.

It is pertinent to note that under Section 23(4) of the West Bengal Panchayat Act, 1973, a statutory appeal lies before the appellate authority in the event

a sanctioned plan is refused. However, no statutory remedy has been provided in cases where a sanctioned plan is granted by the Panchayat.

Be that as it may, although a second writ petition may be maintainable for the purpose of enforcing an order passed in an earlier round of writ proceedings, a litigant cannot invariably expect the Writ Court to function as an Executing Court for implementation of an order passed by another learned Judge of this Court. In the event of non-compliance with the order dated February 6, 2023, the petitioner has an efficacious remedy by approaching the concerned learned Single Judge by filing an appropriate application.

In view of the above, this writ petition is not entertained.

Accordingly, **WPA 21978 of 2024** stands 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.)