

18.12.2025
Sl No.A682
Ct. No.15
S.A.

WPA 23815 of 2024

Maidul Hoque & Ors.

-vs-

The State of West Bengal & Ors.

Mr. Mukteswar Maiti

Ms. Manika Sarkar

...for the petitioners

Ms. Sipra mazumdar

Ms. Somasree Dey

...for the State

The grievance of the petitioners is that respondent no. 10 has undertaken a construction without obtaining permission from the competent authority.

Mr. Maiti, learned advocate appearing for the petitioners, submits that a complaint in this regard was lodged before the respondent authorities; however, no steps have been taken pursuant thereto. The representations annexed to the writ petition, however, indicate the existence of a purely civil dispute between the parties.

None of the representations specifically alleges that the construction in question has been undertaken without a sanctioned plan from the Panchayat Authority.

In my considered view, the petitioners, by merely characterising the construction in question as unauthorised, cannot impart a public law character to

a dispute that is essentially private in nature. Moreover, no particulars have been furnished regarding the stage of the construction. In such circumstances, it would be inappropriate for this Court to initiate or trigger demolition proceedings by issuing directions to the respondent authorities to consider the petitioners' representations under the provisions of the West Bengal Panchayat Act, 1973.

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

Accordingly, **WPA 23815 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.)