

A690 18-12-2025  
AKG  
Ct. 15

**WPA 24840 of 2024**  
**Sri Nilay Saha**  
**Vs.**  
**The State of West Bengal & Ors.**

Mr. Sankar Paul,  
Ms. Kumari Shipra Roy

...for the Petitioner

Mr. Lalit Mohan Mahata,  
Mr. Prasanta Behari Mahata

...for the State

It is the grievance of the petitioner that on earlier occasions, two writ petitions, being WPA 7390 of 2023 and WPA 8069 of 2023, were filed before this Court in relation to the ongoing construction undertaken by him on the concerned plot of land. In the said writ petitions, it was alleged that the construction was being carried out in violation of the sanctioned plan granted by the Pradhan, Karimpur Gram Panchayat-I.

The aforesaid two writ petitions were disposed of by a co-ordinate Bench of this Court by orders dated April 4, 2023 and April 26, 2023, respectively, whereby the Pradhan, Karimpur Gram Panchayat-I was directed to consider the matter in accordance with law.

It is also submitted on behalf of the petitioner that due to a stop-work notice dated February 15, 2023, issued by the Pradhan, Karimpur Gram Panchayat-I, the petitioner had been restrained from proceeding with the construction

work.

Learned counsel appearing for the petitioner submits that the said orders dated April 4, 2023 and April 26, 2023 have not been complied with. It is further submitted that the petitioner, however, could not undertake any further construction in view of the stop work notice dated February 15, 2023.

Learned counsel for the petitioner further contends that since the orders dated April 4, 2023 and April 26, 2023 have not been complied with by the Pradhan, Karimpur Gram Panchayat-I within a reasonable time, and as a consequences of such non-compliance, the stop work notice shall be deemed to have been withdrawn by the Panchayat to allow the petitioner to complete the construction work.

In my view, Mr. Mahata, learned counsel appearing for the State, has rightly pointed out that the said stop-work notice was issued prior to the orders dated April 4, 2023 and April 26, 2023, passed in the earlier round of writ petitions.

The effect of the stop-work notice in the context of the alleged non-compliance with the orders dated April 4, 2023 and April 26, 2023 is a matter which ought to be clarified by the learned Single Bench of this Court which passed the said orders.

Accordingly, this writ petition is disposed of by granting liberty to the petitioner to file an appropriate application in accordance with law.

**WPA 24840 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.)**