

Sl. No.01
23.12.2025
Suman
Ct. 15

WPA 24941 of 2024

Krishnapada Paul
Vs.
The State of West Bengal and Ors.

Mr. Sanjib Kumar Mal
Ms. Gitashree Mistry
..for the petitioner

Mr. M. Rahaman
Ms. Mousumi Pal
Mr. K. Modak
..for respondent no.7

Mr. Arindam Chattopadhyay
Mr. Bhaskar Chakraborty
...for the State

It is the grievance of the petitioner that Respondent Nos. 7 to 11 are preventing him from constructing a gate at J.L. No. 13, Ramchandrapur, Khatian No. 1198, Dag No. 989, P.S. Usthi, District South 24 Parganas.

It is an acknowledged fact before this Court that the petitioner has obtained a sanctioned plan for the construction of the relevant building.

Learned advocate appearing for the petitioner submits that the building plan was sanctioned with provision for constructing the gate in question. It is alleged that, due to resistance from Respondent Nos. 7 to 11, the petitioner is not being permitted to construct the gate.

Learned advocate appearing for Respondent Nos. 7 to 11 submits that the petitioner has constructed the building in violation of the sanctioned plan and has encroached upon Government land in the process.

Learned advocate appearing for the State submits that the dispute is purely private in nature and the State has no role in the matter.

I am of the view that, since the petitioner obtained a sanctioned plan allowing construction of the gate, there is no justification to prevent him from constructing the same in accordance with the sanctioned plan. If there is any alleged encroachment of Government land, it is for the State or the Panchayat to take appropriate action; this Court expresses no opinion on that aspect.

In view of the aforesaid, the writ petition is disposed of with a direction upon the Panchayat to ensure that the petitioner is permitted to construct the gate in accordance with the sanctioned plan.

If necessary, the Officer-in-Charge, Usthi Police Station, shall provide necessary assistance to the petitioner to ensure that the gate is constructed without obstruction from Respondent Nos. 7 to 11.

Accordingly, **WPA 24941 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.)