

WPA 24725 of 2025

**Sukumar Aich
Vs.
The State of West Bengal & Ors.**

Mr. Biswajit Sau

...for the Petitioner

Mr. Rabindra Nath Pal,
Mr. Subhayu Das

...for the State

Mr. Nilanjan Chatterjee

...for Respondent Nos. 6, 7 & 8

The petitioner claims to be the owner of L.R. Dag No. 983, Khatian No. 753, situated at Mouza – Purnachandrapur, within P.S. – Dholahat, District – South 24 Parganas.

It is the grievance of the petitioner that by virtue of a sale deed executed in the year 1964, he became the owner of the land in question. The petitioner alleges that respondent nos. 6 to 8 have forcibly occupied the said land and constructed a house thereon.

The learned advocate appearing for the petitioner submits that such construction has been made without obtaining any permission from the Panchayat Authority.

Mr. Nilanjan Chatterjee, learned advocate appearing for respondent nos. 6 to 8, denies the allegations. He submits that the affidavit filed in support of the present writ petition discloses the age of the petitioner as 77 years as

on September 24, 2025. Therefore, at the time of execution of the said sale deed in 1964, the petitioner was a minor, and consequently, cannot claim right, title, or interest over the property on the basis of a sale deed that is void ab initio, having been executed in favour of a minor.

It has further been submitted that the construction in question was completed at least four years ago, and that respondent nos. 6 to 8 have been regularly paying Panchayat taxes in respect of the said property.

Respondent nos. 6 to 8, however, have failed to produce any document in support of their ownership of the plot in question.

This Court is not inclined to adjudicate the question of title between the parties in the present writ petition.

It appears that the petitioner has already made a representation before the Pradhan, Srinarayanpur Purnachandrapur Gram Panchayat, which has not yet been considered by the said Panchayat Authority.

In view of the aforesaid, this writ petition is disposed of with a direction upon the Srinarayanpur Purnachandrapur Gram Panchayat to consider and dispose of the petitioner's representation in accordance with law, after giving an opportunity of hearing to both the petitioner and respondent nos. 6 to 8, and to communicate a reasoned

order to the parties concerned.

Such exercise shall be completed within a period of six weeks from the date of communication of this order.

Accordingly, **WPA 24725 of 2025** 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.)