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10-11-2025
AKG
Ct. 15

WPA 24654 of 2025
Somnath Maity
Vs.
The State of West Bengal & Ors.

Mr. Goutam Dinda
...for the Petitioner
Mr. Arindam Chattopadhyay,
Ms. Lipika Chatterjee
...for the State
Mr. Shyama Prasad Purkait
...for Respondent No. 10

The petitioner alleges that an unauthorised construction has been carried out at the instance of respondent no. 10.

It appears that the petitioner and respondent no. 10 are brothers.

It is the specific case of the petitioner that respondent no. 10 has undertaken the construction without obtaining any permission from the Panchayat Authority.

The learned advocate appearing for respondent no. 10 denies the allegations. It is submitted that the construction in question is at least 25 years old and that the same was made after obtaining due permission from the Panchayat Authority.

The attention of this Court has also been drawn to the fact that a partition suit is pending between the parties.

In view of the aforesaid disputed factual background

and the pending civil suit, I am not inclined to entertain this writ petition. It is, however, made clear that the petitioner shall be at liberty to seek appropriate relief in the pending civil suit for redressal of his grievance.

Accordingly, **WPA 24654 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.)