

Sl. No.17.
08.12.2025
Suman
Ct. 15

WPA 25285 of 2025

Dhiren Pal @ Dhiren Kumar Pal
Vs.
The Prodhan, Balgona Gram Panchayat and
Ors.

Mr. P. K. Bhattacharya
..for the petitioner

Mr. Dipankar Das Gupta
..for the State

Mr. Shamik Chatterjee
Mr. A. B. Mahata
Mr. S. Kabir
Ms. J. Das
..for respondent no.4.

Let the report filed by the State be kept with the records.

It appears that the petitioner and respondent no. 4 are brothers. Both inherited a portion of Plot No. 168, Khatian No. 359, J.L. No. 78, Mouza-Haripur, P.S. Bhatar, District-Purba Bardhaman, measuring 0.70 acre in equal shares.

The petitioner alleges that the property was never formally partitioned between them although they divided the plot equally. The petitioner contends that respondent no. 4 has raised an unauthorised construction encroaching upon the petitioner's share

of the land, without obtaining any sanctioned plan from the Panchayat authority.

Learned counsel appearing for respondent no. 4 denies all allegations. It is submitted that, pursuant to a mutual settlement dated July 14, 2020, both parties have constructed their residential buildings on the plot, and there has been no encroachment by respondent no. 4.

In view of the disputed factual issues, I am not inclined to keep this writ petition pending.

It appears that the petitioner submitted a representation to the Prodhan, Balgona Gram Panchayat, by his advocate's letter dated September 22, 2025, which has not yet been addressed.

Accordingly, this writ petition is disposed of with a direction upon the Prodhan, Balgona Gram Panchayat (respondent no. 1) to consider the representation at page 13 of the writ petition and to pass a reasoned order in accordance with law, after granting an opportunity of hearing to both the petitioner and respondent no. 4, as expeditiously as possible.

Accordingly, **WPA 25285 of 2025** 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.)