

Sl. No.13.
09.12.2025
Suman
Ct. 15

WPA 25479 of 2025

Sabina Khatun
Vs.
The State of West Bengal and Ors.

Mr. Kaustav Banerjee
Ms. Ria Kundu
..for the petitioner

The petitioner submits that he and respondent nos. 9 and 10 are co-sharers in respect of L.R. Plot No. 775, Binodbati Mouza, J.L. No. 80, measuring 30 decimals of land. It is alleged that respondent nos. 9 and 10 have undertaken unauthorised construction on the said plot, encroaching upon a portion of the petitioner's land.

Learned counsel appearing for the petitioner, by referring to a reply dated August 7, 2025, from the relevant Gram Panchayat—namely, Naita Malharpur Gram Panchayat—issued under the Right to Information Act, 2005, submits that the construction is being carried out at the behest of respondent nos. 9 and 10 without any sanctioned plan from the Panchayat authority.

The respondents are not represented. Let the affidavit of service filed by the petitioner be kept with the records.

It appears that the petitioner made a representation to the Pradhan, Naita Malharpur Gram Panchayat, respondent no. 8, through his advocate's notice dated October 3, 2025, alleging that no action has been taken in response to such representation.

In view of the foregoing, this writ petition is disposed of with a direction upon the Pradhan, Naita Malharpur Gram Panchayat, respondent no. 8, to consider the said representation. If any unauthorised construction is found at the relevant premises, the Pradhan shall take necessary steps in terms of Section 23(5) of the West Bengal Panchayat Act, 1973.

The entire exercise shall be completed within a period of one month from the date of communication of this order.

Accordingly, **WPA 25479 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.)