

18.12.2025
Sl No.A709
Ct. No.15
S.A.

WPA 30898 of 2024

Purnendu Naskar

-vs-

State of West Bengal & Ors.

Mr. Sandip Ghosh
Mr. Partha Sarkar
Ms. Jayashree Dari

...for the petitioner

Mr. Lalit Mohan Mahata
Mr. Prasanta Behari Mahata

...for the State

The petitioner alleges unauthorized construction at the behest of respondent nos. 7 and 8. It is the grievance of the petitioner that respondent nos. 7 and 8 have encroached upon a part of Plot No. 158, J.L. No. 37, Police Station – Bhangar, District – South 24 Parganas.

The petitioner claims 50% ownership of the plot in question.

It is alleged that in making the construction, the respondents have not obtained any sanctioned plan from the Panchayat Authority.

It appears that the petitioner made a representation before the Panchayat Authority on November 12, 2024. Learned advocate appearing for the petitioner submits that the said representation has not been considered.

From the photographs annexed to the writ petition, it appears that the representation was made when the construction was ongoing.

In my view, the Panchayat should have immediately considered the representation of the petitioner in accordance with law. However, having regard to the facts of this case, this writ petition is disposed of with a direction upon the Pradhan of Tardah Gram Panchayat, respondent no. 5, to consider the representation of the petitioner in accordance with law, after hearing all concerned, and to take necessary steps in terms of Section 23(5) of the Panchayat Act, 1973, if any unauthorized construction is detected.

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

Accordingly, **WPA 30898 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.)