

Dd 9 23.02.2026

WPA/663/2026

**SHYAMAL MONDAL AND ANR.
VS
THE STATE OF WEST BENGAL AND ORS.**

*Mr. Swapan Kumar Pal,
Ms. Srijani Mukherjee,
Mr. Soham Pal,
... .. For the Petitioners*

*Mr. Subhadeep Chatterjee,
Ms. Arpita Kundu,
Mr. Bithin Mondal,
... .. For the respondent No.12*

*Mr. Rajendra Chaturvedi,
... ..For the State*

The petitioners allege that respondent No. 12 has undertaken unauthorized construction.

Learned counsel appearing for respondent No. 12, however, has produced documents to demonstrate that the building in question has been constructed under a Government scheme. A building constructed pursuant to a Government scheme does not require a sanctioned building plan in view of the first proviso to Rule 19(1) of the West Bengal Panchayat (Gram Panchayat Administration) Rules, 2014.

A copy of the relevant documents has been furnished to the learned advocate for the petitioners. In such circumstances, the allegation that the construction has been carried out without a sanctioned building plan appears to be unfounded.

The petitioners have also alleged that, in the course of construction, respondent No. 12 has encroached upon a portion of their land. However, the issue of alleged encroachment involves disputed questions of fact which cannot appropriately be adjudicated in exercise of writ jurisdiction.

The petitioners shall be at liberty to approach the competent forum for redressal of their grievances in accordance with law.

WPA/663/2026 is, accordingly, dismissed.

(Kausik Chanda, J.)