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jdt. 31.03.2026
jb.

WPA 707 of 2025
(Swadesh Bakuli vs. State of West Bengal & Ors.)

Mr. Prasayan Mukherjee
Mr. Debrup Choudhury
.... For the Petitioner
Mr. Supratim Dhar
Ms. Tuli Sinha
.... For the State
Mr. Sandip Kundu
.... For the Private Respondents

Affidavit of service filed by the petitioner is taken on record.

None appears for the Panchayat despite service.

It is not in dispute that the petitioner and the private respondents are sebaits in respect of the plot in question. The petitioner alleges that the private respondents have been raising construction in the said plot without obtaining any sanctioned plan from the concerned Panchayat.

Denying such allegation, learned counsel for the private respondents submits that a 70-year old temple is standing on the plot and no new construction is going on at present.

Learned counsel for the petitioner denies the said contention.

Upon consideration of the submission made on behalf of the parties, this Court is inclined to hold that since a representation has been submitted by the

petitioner in this regard before the concerned authority on 9th December, 2024 which is pending, the Pradhan, Bhandargacha Gram Panchayat, being the 5th respondent herein, be directed to consider and dispose of the same within six weeks from the date of communication of this order upon affording reasonable opportunity of hearing to all concerned including the petitioner and the private respondents, in accordance with law.

The decision taken by the authority shall be communicated to the parties within a week thereof.

In the event any unauthorised/illegal construction is found on the plot, the concerned authority shall take necessary steps in accordance with law.

Pending disposal of the representation, no further construction shall be carried on in the said plot.

The writ petition is disposed of.

There shall be no order as to costs.

Since no affidavit has been invited, allegations contained in the writ petition shall be deemed not to have been admitted.

Urgent certified website copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

(Suvra Ghosh, J.)