

17.06.2026
rc/ct.no.15
Item No.61

WPA No. 851 of 2025
Sk. Amzad Hossain @ Amzad Hossain
Versus
The State of West Bengal & Ors.

Mr. Manas Kumar Das
Mr. Aritra Kumar Thokdar
Mr. Prabal Das ...for the Petitioner

Mr. Madhu Jana
Ms. Puja Sonkar ...for the State

Md. Hafiz Ali
....for the respondent nos. 6,8 and 9

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

The Panchayat is not represented despite service.

The petitioner alleges that the private respondents are raising construction on plot nos. 140 classified as “Pukur” and 156 classified as “Government Rasta” without obtaining sanction from the concerned authority. Pursuant to representations submitted by the petitioner in this regard, hearing was conducted by the Pradhan, Kuli Gram Panchayat, being the 4th respondent herein, upon service of notice upon the parties. No decision has been communicated to the petitioner by the said respondent. The petitioner submitted a further representation before the authority through his learned advocate on December 16, 2024 and seeks consideration of the same.

Learned counsel for the private respondents submits that permission for construction of one storied structure in

plot no. 156 has been accorded by the Panchayet on December 02, 2024.

I have considered the rival contention of the parties. Strangely, the document produced by the private respondents suggests that permission for construction of structure was sought on December 02, 2024 and allowed on the same date. The documents needs to be verified by the concerned authority. Since the representation submitted by the petitioner is pending and the 4th respondent has already conducted the hearing upon service of notice to the parties, the said respondent is directed to take the hearing to its logical conclusion and also consider the representation submitted by the petitioner dated December 16, 2024 and pass a reasoned order in respect thereof. The said decision shall be communicated to the parties within a week thereof.

In the event the construction raised by the private respondents is found to be illegal/unauthorised, the concerned authority shall take necessary steps in accordance with law.

The writ petition is disposed of.

There shall, however, be no order as to costs.

Since no affidavit is invited, the allegations contained in the writ petition are deemed not to have been admitted.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh,J)