

05.03.2026
rc/ct.no.15
Item No.19+20

WPA No. 573 of 2026
Tapan Pradhan
Versus
The State of West Bengal & Ors.
And
WPA No. 1138 of 2026
Chandan Pradhan
Versus
The State of West Bengal & Ors.

Mr. Manoranjan Jana ..for the petitioner
(in WPA No. 573 of 2026)

Mr. Dinesh Pani ..for the petitioners
(in WPA No. 1138 of 2026)

Mr. Dinesh Pani ..for the respondent
(in WPA No. 573 of 2026)

Mr. Biswajit Dutta ..for the State
(in WPA No. 573 of 2026)

Mr. Subrata Das Gupta ..for the State
(in WPA No. 1138 of 2026)

Supplementary affidavit filed by the petitioner in
WPA No. 573 of 2026 is taken on record.

The petitioner in this writ petition seeks stay of the
order passed by the Sub-Divisional Officer, Contai, Purba
Medinipur on September 24, 2025 directing demolition of
the illegal construction raised by this petitioner in plot no.
467, Mouza Gobindapur.

In the writ petition being WPA No. 1138 of 2026 the
petitioner seeks implementation of the said order.

Heard learned counsels for the parties.

It appears that in a partition suit pending between
the parties and other co-sharers, the learned trial Court,
by an order passed on July 29, 2025 directed the parties

to maintain status quo in respect of the nature, character and possession of the property in question. Pursuant to an order passed by a coordinate Bench of this Court on January 15, 2025 in WPA No. 28501 of 2024 directing the Pradhan to consider and dispose of the representation submitted by the petitioner in WPA No. 1138 of 2026, the matter was taken up for consideration and upon hearing both the parties, the Sub-Divisional Officer came to a conclusion that the construction made by the petitioner in WPA No. 573 of 2026 was illegal and unauthorized. The petitioner was directed to demolish the said illegal construction within 15 days from the date of receipt of the order failing which the Pradhan was directed to demolish the building and recover the cost of demolition from the petitioner.

In view of the fact that it has been decided by the Sub-Divisional Officer that the construction in question has been raised without any valid plan and without sanction from the concerned authority, this Court is of the view that the said order is required to be implemented at once.

The Pradhan, Paldhui Gram Panchayat, being the 8th respondent herein, is directed to implement the order dated September 24, 2025 passed by the Sub-Divisional Officer, Contai, Purba Medinipur within seven (7) days from date.

Accordingly, WPA No. 573 of 2026 is dismissed.

WPA No. 1138 of 2026 is allowed.

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

Since no affidavit is invited, the allegations contained in the writ petitions 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)