

March 5, 2026
(24) ARDR

WPA 2118 of 2026

Dipankar Layek
Vs.
The State of West Bengal & ors.

Adv. Arnab Saha,
...for the petitioner.
Adv. Sadhan Halder,
Adv. Maloy Roy,
Adv. Dbasis Bhattacharjee,
...for the State.

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

None appears for the Panchayat despite service.

Learned counsel for the petitioner submits that the private respondents have raised unauthorised construction on a public street by obstructing the egress and ingress of the petitioner. The Panchayat, in a resolution passed in a general meeting, directed the private respondents to remove the said construction/encroachment within seven days from the date of the resolution but to no effect. The Upa Pradhan, Brajarajpur Gram Panchayat, by a letter issued on 19th November, 2025 requested the Sub Divisional Officer, Khatra to take necessary steps for removal of the said construction in terms of Section 25(4) of the West Bengal Panchayat Act, 1973. The encroachment is yet to be removed.

It appears that the resolution was communicated to the private respondents who neither removed the said

construction, nor challenged the resolution before the appropriate forum.

In view of the above, the Sub Divisional Officer, Khatra, being the 3rd respondent herein, is directed to act in terms of the request made by the Upa Pradhan vide letter dated 19th November, 2025 and take necessary steps for removal of the unauthorised construction/encroachment within seven days from date.

The writ petition is accordingly disposed of.

There shall however, be no order as to costs.

Since no affidavit is invited, the allegations contained in the 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.)