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24-02-2026
AKG
Ct. 15

WPA 2439 of 2026
Nimai Chandra Adhikary
Vs.
The State of West Bengal & Ors.

Mr. Tarun Kanti Halder	...for the Petitioner
Mrs. Sangeeta Roy, Mr. Dipankar Ghosh	
	...for the State
Ms. Juin Dutta Chakraborty, Mr. Bidan Modak, Ms. Arpita Kundu	
	...for Respondent Nos. 7 & 8

The present writ petition has been filed, inter alia,
seeking the following reliefs:

“a) A writ of Mandamus and/or in the nature of Mandamus commanding upon the state respondents as to why they shall not be ordered to compel the Respondents No. 7 and 8 to get all or any part of the said purported house erected and standing on the L.R. Plot No. 3112 and 3110/3175 under Mouza – Harop, P.S. Bagnan removed so far as the constructions go against law contained under Building Rules of the panchayet vide West Bengal Panchayet Act, 1973 read with provisions entered into chapter IV of the West Bengal Panchayet (Gram Panchayet Administration) Rules 2004.

b) A writ of Mandamus and/or in the nature of Mandamus commanding upon the Respondents No. 7 and 8 to get removed to its all

entirety or any part of their house that stands constructed without compliance of the law and/or Building rules meant for the Panchayet and to do the same by removing the over hanging part of the roof from parth way and/or the bastu land of the petitioner;”

Neither the writ petition nor the submissions advanced on behalf of the learned advocate for the petitioner clearly disclose the precise nature of the petitioner’s grievance. However, it has been contended by learned counsel for the petitioner that a portion of the building constructed by respondent nos. 7 and 8 has obstructed the petitioner’s access to a public pathway.

The petitioner’s own averment in paragraph 7 of the writ petition indicates that the said building was constructed approximately seven years ago. Learned counsel appearing for respondent nos. 7 and 8 has produced the sanctioned building plan for the structure in question.

Let the sanctioned plan produced by respondent nos. 7 and 8 be taken on record. A copy thereof has also been furnished to learned counsel for the petitioner.

It is not the petitioner’s case that the construction has been carried out in deviation from the sanctioned plan. In such circumstances, this Court finds no justification to

entertain the present writ petition.

Accordingly, **WPA 2439 of 2026** stands dismissed.

Urgent certified *website* copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Kausik Chanda, J.)