

March 6, 2026
(33) ARDR

WPA 3505 of 2026

Swapan Kumar Mandal & ors.
Vs.
The State of West Bengal & ors.

Adv. Dhananjay Nayak,
Adv. Tanwishree Mukherjee,
...for the petitioners.

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

The respondents are not represented.

The petitioners allege unauthorised construction being raised by the private respondents without obtaining any sanctioned plan/permission from the concerned authority.

Learned counsel for the petitioners produces a reply given by the Pradhan, Kharui-II Gram Panchayat in response to an application made by them under the Right to Information Act which demonstrates that no permission was taken by any person for raising construction in the land in question. The petitioners submitted a representation in this regard before the Panchayat Pradhan on 28th January, 2026 which is yet to be considered. The petitioners seek consideration of the representation.

Upon consideration of the submission made on behalf of the petitioners, this Court direct the Pradhan, Kharui-II Gram Panchayat, being the 5th respondent herein, to consider and dispose of the representation dated

28th January, 2026 within four weeks from the date of communication of this order upon affording reasonable opportunity of hearing to all concerned including the petitioners 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 the construction raised by the private respondents is found to be unauthorised/illegal, necessary steps be taken in accordance with law.

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.)