

**WPA 3692 of 2026**

**Dilip Jana**  
**Vs.**  
**The State of W. B. & Ors.**

Mr. Apurba Krishna Das           ...for the petitioner.

Mr. Dilip Kr. Sinha ...for respondent nos. 4 & 5.

Mr. Snehasis Jana           ...for respondent no.7

Mr. Arup Kr. Mandal

Mr. Arun Kr. Ghosh           ...for the State.

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

Heard learned counsels for the parties.

Learned counsel for the petitioner submits that the petitioner and the private respondent are co sharers in respect of the plot in question and a partition suit is pending between them.

The private respondent is raising construction in the common passage in the plot used by both the parties without obtaining sanctioned plan.

Learned counsels for the Panchayat Pradhan and the private respondent submit that sanctioned plan has been granted to the private respondent for raising construction in the plot in question and the construction is complete.

Learned counsel for the Panchayat produces a copy of the sanctioned plan.

In view of the fact that a sanctioned plan is in place and the alleged construction has been raised upon obtaining such plan, the writ petition is devoid of any merit and is accordingly dismissed.

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.)**