

D/L- 17
23/02/2026
Ct. No.-19
Aritra

WPA 3804 of 2026

**Ganesh Maity
Vs.
The State of West Bengal & Ors.**

Mr. Rwitendra Banerjee
Mr. Shibasis Chatterjee

....for the petitioner

Mr. S.S. Arefin
Mr. Jahangir Badsha

....for the State

Affidavits of service filed in Court today are taken on record.

Mr. Banerjee, learned advocate appearing for the petitioner submits that the respondents have been duly served.

In spite of service none appears for the Panchayat Authorities and the private respondents.

State is represented by its learned advocate.

The petitioner claims to be the co-owner and possessor of L.R. Dag No.24 corresponding to R.S. Plot No.2/1819, L.R. Khatian No.-536 within Mouza-Abhirampur under Police Station-Rajapur in the District of Howrah.

Petitioner alleges that the authorities of the respondent No.6/Gram Panchayat are taking steps to construct a road over the aforesaid plot without initiating any proceeding for acquisition or requisition.

Mr. Banerjee, learned advocate appearing for the petitioner submits that the petitioner submitted a representation dated February 6, 2026 before the various authorities including the Block Development Officer, Uluberia-2 Block, requesting the said authority to protect the *Rayati* land of the petitioner.

Mr. Arefin, learned advocate appearing for the State submits that the Panchayat Authority is the answering respondent in this matter.

From the deeds annexed to this writ petition, it *prima facie* appears to this Court that the predecessor-in-interest of the petitioner acquired right, title and interest in respect of the aforesaid plot. Upon the death of the predecessor-in-interest, namely, Dhananjay Maity, the petitioner claims to have acquired right, title and interest in respect of the property in question along with his brothers and sisters.

From the Record of Rights annexed to this writ petition, it appears that the plot in question has been duly recorded in the name of Dhananjay Maity, i.e., the predecessor-in-interest of the petitioner.

From the documents produced it is evident that L.R. Plot No.24 is the *raiya* property of the petitioner. The authorities of the Panchayat are restrained from utilizing the said plot or any portion thereof for the purpose of construction of any road without initiating any proceeding for requisition or acquisition.

With the above observations, WPA 3804 of 2026 stands disposed of.

There will be no order as to costs.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Hiranmay Bhattacharyya, J.)