

09.03.2026
Item No.06
Ct. No.01
RP

WPA(P) 76 of 2026
Biswajit Pal
vs.
The State of West Bengal & Ors.

Mr. Shamik Bagchi
Ms. Priyanka Bhowmik
... For Petitioner
Mr. Jaharlal De. Ld. AGP
Mr. Sudipta Panda
...for State

PER, SUJOY PAUL, C.J.:

1. Parties are represented through their respective learned counsels.
2. The whole grievance of the petitioner is relating to raising of a four-storey construction, which is as per his contention is more than 6.5 meter in height, which is other than an industrial estate or industrial park. The petitioner has preferred a representation addressed to the State Government, the Gram Panchayat, the Sub-Divisional Officer and the Officer-in-Charge, Baruipur Police Station. However, on a bare perusal of Sub-Section 6 of Section 160A of the West Bengal Panchayat Act, 1973 shows that if any such new

structure contrary to Sub-Section 1 of Section 160A is raised it is for the retired senior government officer with the experience of having worked as Magistrate and appointed by Zilla Parishad to decide the said aspect. Thereafter, it is obligatory on the part of the Zilla Parishad to demolish the said building in accordance with law. Having failed to complete this exercise the Sub-Divisional Officer comes into picture. In the instant case the petitioner has not brought his grievance to the notice of the jurisdictional Zilla Parishad. Thus, we find no reason to interfere with the matter. Liberty is reserved to the petitioner to prefer his representation/complaint before the jurisdictional Zilla Parishad. This Court has no doubt that if such a representation is made, the jurisdictional Zilla Parishad will consider it in accordance with law.

3. With the aforesaid and without expressing any opinion on merit, this PIL is disposed of.
4. Urgent Photostat certified copy of this order, if applied for, be delivered to the learned

advocates for the parties, upon compliance of all formalities.

[SUJOY PAUL, CJ.]

[PARTHA SARATHI SEN, J.]