

14.01.2026
Sl No.A723
Ct. No.15
S.A.

WPA 3914 of 2025

Subrata Bera
-vs-
The Pradhan, Srirampur-I
Gram Panchayat & Ors.

Mr. Kajal Ray
Mr. Suman Nandi
...for the petitioner
Mr. Sabyasachi Mondal
Mr. Soumen Pradhan
Ms. Payel Khanra
...for respondent nos.6 & 7

It is the grievance of the petitioner that his neighbours, respondent nos. 6 and 7, have constructed the first floor of a building at Plot No. 675, Mouza-Kismat Putputia, Block-Tamluk-I, District-Purba Medinipur without any permission from concerned Panchayat.

It is the specific case of the petitioner that although the ground floor of the building was constructed pursuant to a sanctioned plan, the first floor has been raised without obtaining any permission from the Panchayat Authority.

From the photographs annexed to the writ petition, it appears that the first floor had already been constructed by respondent nos. 6 and 7 even prior to the filing of the writ petition.

Having consciously permitted such construction to continue and having approached this Court only

after completion of the building, the petitioner cannot now contend that the construction is being carried out without a sanctioned plan.

Such conduct attracts the well-established principles of delay, acquiescence, and want of bona fides. The writ jurisdiction under Article 226, being discretionary and grounded in considerations, cannot be invoked to resurrect an equitable right that the petitioner has clearly forfeited.

Accordingly, **WPA 3914 of 2025** stands dismissed.

Urgent photostat certified copy of this order, if applied for, be supplied to the learned advocates for the parties on usual undertakings.

(Kausik Chanda, J.)