

06.03.2026
rc/ct.no.15
Item No.48

WPA No. 4039 of 2026
Parimal Goswami
Versus
The State of West Bengal & Ors.

Mr. Dhananjay Nayak
Mr. Samrat Paul
Ms. Tanwishree Mukherjee ..for the petitioner

Mrs. Jyotsna Roy Mukherjee
Ms. Ananya Neogi
Ms. Prerana Dutta ..for the State

Mr. Mijanul Kabir
Ms. Luna Khatun
Md. Wasim Akram
Mr. Bapparaj Dey
Mr. Nirvay Roy
Mr. Subhadir Das
Mr. Raju Sk. ...for the respondent nos.7to12

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

The Panchayat is not represented despite service.

Learned counsel for the petitioner submits that the petitioner is the recorded owner of about 14 decimals of land in L.R.plot no. 3889 and is raising construction therein upon obtaining sanctioned plan/permission of the concerned authority. The private respondents have illegally constructed a wall in plot no. 3888 which is adjacent to the petitioner's plot and is vested land. The petitioner submitted a representation before the Panchayat

Pradhan on February 09, 2026 requesting necessary measures for removal of the unauthorized construction which is blocking his ingress and egress and obstructing his construction. The representation is yet to be considered.

Learned counsel for the private respondents submits that plot no. 3888 is a vested land and the private respondents have raised a boundary wall therein to protect the temple which is standing in the said land since long.

However, the petitioner denies and disputes such contention.

In view of the fact that the representation submitted by the petitioner is yet to be considered, the Pradhan, Sarbari Gram Panchayat, being the 4th respondent herein, is directed to consider and dispose of the representation dated February 09, 2026 within two weeks from the date of communication of this order upon granting reasonable opportunity of hearing to all concerned including the petitioner and the private respondents, in accordance with law.

The decision taken by the authority shall be communicated to the parties within a week thereof.

The writ petition is disposed of.

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.

All parties are directed to act upon the server copy of this order duly down loaded from the official webside of this Court.

(Suvra Ghosh,J)