

WPA 4316 of 2026

Jugal Chandra Sau
Vs.
The State of West Bengal & ors.

Adv. Sudarshan Ghosh,
Adv. Sudipta Mondal,
...for the petitioner.
Adv. Pampa Dey (Dhabal),
Adv. Sangita Banerjee,
...for the respondent nos. 11 & 12.
Adv. Sanjib Das,
...for the State.

Supplementary affidavit filed by the petitioner is taken on record.

By way of the supplementary affidavit the petitioner submits that the unauthorised construction is being raised by the private respondents on the land which is classified as bastu and is not a water body as stated in the writ petition as well as in the earlier representation.

Vehemently objecting the same, learned counsel for the private respondents submits that the entire nature of the allegation has been subsequently altered by the petitioner.

It appears that the petitioner initially alleged that the private respondents have been raising unauthorised construction by filling up water body. The representation submitted by him before the concerned authority on 21st January, 2026 also reflects the said grievance. The supplementary affidavit suggests that the land in question is classified as bastu. The private respondents are raising unauthorised construction therein without obtaining any sanctioned plan. The petitioner submitted a further

representation before the concerned authority on 31st January, 2026 and seeks consideration of the same.

Learned counsel for the private respondents submits that the construction is being raised upon receiving sanctioned building plan from the concerned Panchayat.

Upon consideration of the submission made on behalf of the parties, this Court is inclined to hold that since the representation submitted by the petitioner before the concerned authority on 31st January, 2026 is pending, the Pradhan, Khayadihi Gram Panchayat, being the 9th respondent herein, be directed to consider and dispose of the same within six weeks from the date of communication of the order upon affording reasonable opportunity of hearing to all concerned including the petitioner and the private respondents or their authorised representative, in accordance with law.

The parties shall be at liberty to produce all relevant documents before the authority at the time of hearing to substantiate their respective claims.

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

The writ petition is accordingly disposed of.

There shall however, be no order as to costs.

Since no affidavit is invited, the allegations contained in the 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.)