

WPA 4461 of 2026

Manaranjan Mete
Vs.
The State of W. B. & Ors.

Ms. Ipsita Ghosh ...for the petitioner.

Mr. Debnarayan Patra
Mr. Biman Halder ...for the State.

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

The Pradhan and the private respondent are not represented despite service.

Heard learned counsels for the parties.

Learned counsel for the petitioner submits that the petitioner and the private respondent are co sharers in respect of the plot in question. The petitioner filed a partition suit against the private respondents wherein initially an order of status quo was granted by the learned Trial Court. The order subsequently expired due to procedural laches and was again restored. Injunction application was finally dismissed. The suit is still pending. Taking advantage of absence of any injunction order the private respondents are raising construction in the undivided portion of the land without obtaining sanctioned plan from the concerned Panchayat.

Since the representation submitted by the petitioner before the Panchayat does not disclose the recent status of

the pending suit, the petitioner seeks liberty to submit a fresh representation before the authority and prays for a direction upon the authority to consider the same. Such liberty is granted.

The petitioner shall submit a comprehensive representation before the Pradhan, Jhamtia Gram Panchayat, being the 2nd respondent herein within 7 days from date. The 2nd respondent is directed to consider and dispose of the representation within four weeks from the date of receipt thereof upon affording 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.

In the event the construction raised by the private respondents is found to be illegal/unauthorized, necessary steps be taken by the authority in accordance with law.

The writ petition is disposed of accordingly.

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.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)