

WPA 4470 of 2026

Nazimaa Begum
Vs.
The State of W. B. & Ors.

Ms. Ipsita Ghosh ...for the petitioner.

Mr. Supriyo Chattopadhyay
Mr. R. Das ...for the State.

On prayer of the petitioner, liberty is granted to implead the Pradhan, Khajutti Gram Panchayat as respondent no.7 in the writ petition. The cause title of the writ petition be amended accordingly.

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

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

Heard learned counsels for the parties.

Learned counsel for the petitioner submits that the petitioner has acquired title and possession of the property in question by virtue of deed of gift executed in her favour. The private respondents have raised a brick barrier by encroaching upon the embankment of a water body adjoining the petitioner's land. The petitioner submitted a representation in this regard before the concerned authority on 16th September, 2025 which is yet to be

considered. The petitioner seeks consideration of the same.

Upon consideration of the submission made on behalf of the parties, this Court is of the view that since the representation submitted by the petitioner is yet to be considered, the Pradhan, Khajutti Gram Panchayat, being the 7th respondent herein be directed to consider and dispose of the representation within four weeks from the date of communication of this order 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 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.)