

21.04.2026
rc/ct.no.15
Item No.64

WPA No. 4809 of 2025
Motaleb Mondal
Versus
The State of West Bengal & Ors.

Mr. Sudarshan Ghosh ..for the petitioner

Mr. Chandra Nath Sarkar
Mr. Sounak Mondal
... for the respondent nos.11&12

Mr. Tanweer J. Mandal ...for the State

Learned counsel for the private respondents submits that the private respondents do not intend to submit any affidavit in this matter. The matter is taken up for consideration.

The petitioner claims to be the recorded owner of the plot in question and alleges that the private respondents are raising unauthorized construction therein without obtaining any sanction from the Pradhan. The construction is being raised on Sali land without conversion of the same. The petitioner submitted a representation in this regard before the concerned authority on February 24, 2025 which is yet to be considered. The petitioner seeks consideration of the same.

Learned counsel for the private respondents denies and disputes the allegation made by the petitioner.

Upon consideration of the submission made on behalf of the parties this Court is inclined to hold that

since the petitioner alleges unauthorized construction being raised by the private respondents and the representations submitted by him is pending before the authority, the Pradhan, Beladurganagar Gram Panchayat, being the 9th respondent herein, is directed to consider and dispose of the application within six 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.

In the event the construction raised by the private respondent is found to be unauthorised/illegal, the concerned authority shall take necessary steps, in accordance with law.

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.

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

(Suvra Ghosh,J)