

17.03.2026
rc/ct.no.15
Item No.05

WPA No. 4884 of 2026
Sk. Mansur Ali @ Sk. Mansur
Versus
The State of West Bengal & Ors.

Mr. Arunava Ganguly ..for the petitioner

Mr. Ranjit Rajak ..for the State

Affidavit of service filed by the petitioner and report submitted by the State are taken on record.

None appears for the Panchayat and the private respondent despite service.

The petitioner and the private respondent are co-sharers in respect of the plot in question.

Learned counsel for the petitioner submits that the private respondent has been disturbing the peaceful possession of the petitioner in respect of the said plot for which the petitioner filed a civil suit against him which is pending. The private respondent has been raising unauthorised construction in the said plot despite pendency of the suit without obtaining sanctioned plan and without converting the nature of the land. The petitioner submitted a representation before the concerned authority in this regard which is still pending. The petitioner seeks disposal of the representation.

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 respondent without obtaining sanctioned plan from the Panchayat and without conversion of the land, the Pradhan, Sahadev Gram Panchayat, being the 2nd respondent herein, is directed to consider and dispose of the representation submitted by the petitioner on February 16, 2026 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 respondent, 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 illegal/ unauthorized, necessary steps be taken by the concerned authority, 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)