

A777 21-01-2026
AKG
Ct. 15

WPA 5176 of 2025
Sk. Khursid Alam
Vs.
State of West Bengal & Ors.

Mr. Rwitendra Banerjee,
Mr. Sandip Kundu

...for the Petitioner

Mr. Victor Dutta

...for Respondent No. 8

The petitioner alleges unauthorised construction at the instance of respondent no. 8 and claims to be a co-sharer of the land in question.

It is submitted that respondent no. 8 has undertaken the construction without obtaining the consent of the petitioner and without securing any permission from the Panchayat Authority. It is further contended that, in carrying out the construction, the classification of the land was not converted from "Sali" to "Bastu." The petitioner has specifically averred in paragraph 4 of the writ petition that the construction commenced in December 2024. Thereafter, the petitioner made a representation before respondent no. 6 on February 11, 2025, seeking appropriate action.

The writ petition was filed on March 3, 2025.

Respondent no. 8 is represented before this Court; however, no sanctioned plan has been produced in support of the construction.

Accordingly, the writ petition is disposed of with the following directions:

The Pradhan, Gharberia Chitnan Gram Panchayat, respondent no. 6, shall consider the representation of the petitioner appearing at page 11 of the writ petition within a period of two weeks from the date of communication of this order and, if any unauthorised construction, as alleged by the petitioner, is detected, shall immediately refer the matter to the concerned Sub-Divisional Officer in terms of Section 23(5) of the West Bengal Panchayat Act, 1973, and issue a stop work notice upon respondent no. 8. Respondent no. 8 shall, however, be at liberty to produce any sanctioned plan before the Pradhan for due consideration.

Accordingly, **WPA 5176 of 2025** stands disposed of.

Urgent certified *website* copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Kausik Chanda, J.)