

25.03.2026
rc/ct.no.15
Item No.05

WPA No. 5276 of 2025
with
CAN No. 1 of 2026
Gita Deb
Versus
The State of West Bengal & Ors.

Mr. Sounak Bhattacharjee
Mr. Sounak Mandal
Mr. Abhirup Halder
Ms. Bipasha Bhattacharyya ..for the Petitioners

Mr. Subhankar Bose ...for the respondent no. 3

Mr. Rabindra Nath Basak
Mr. Sujit Chatterjee ...for the State

Re : CAN No. 1 of 2026

Affidavit of service filed by the applicants/petitioners
is taken on record.

The applicants/petitioners seek restoration of the
writ petition which was dismissed for default by an order
passed on January 21, 2026.

Heard learned counsels for the parties.

Sufficient grounds being made out, the application
being CAN 1 of 2026 is allowed.

The order dated January 21, 2026 is set aside. The
writ petition is restored to its original file and number.

CAN No. 1 of 2026 is disposed of.

Re : WPA No. 5276 of 2025

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

None appears for the Panchayat despite service.

Learned counsel for the petitioner submits that the private respondent is raising construction without obtaining sanctioned plan from the concerned Panchayat and in violation of the building rules. The petitioner submitted a representation before the concerned authority in this regard on August 12, 2024 which is yet to be considered. The petitioner seeks consideration of the same.

Learned counsel for the private respondent denies and disputes the allegation raised by the petitioner and submits that necessary permission has been obtained from the Gram Panchayat for the construction.

Be that as it may, since the representation submitted by the petitioner before the concerned authority is pending, the Pradhan, Sarisha Gram Panchayat, being the 8th respondent herein, is directed to consider and dispose of the same 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 respondent, in accordance with law.

The decision taken by the authority shall be communicated to the parties within a week thereof.

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)