

March 25, 2026
(43) ARDR

WPA 5541 of 2026

Abul Kalam Azad
Vs.
The State of West Bengal & ors.

Adv. Golam Mastafa,
Adv. Tarasankar Samanta,
Adv. Kazi Asif Iqbal

...for the petitioner.

Adv. Rezaul Hossain,

...for the State.

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

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

The petitioner and the private respondent are full blood brothers and reside in the same plot. The petitioner alleges that the private respondent is raising construction in the plot without obtaining sanctioned plan from the concerned authority. The petitioner submitted a representation in this regard before the concerned authority on 11th September, 2025 which is yet to be considered. The petitioner seeks consideration of the same by the authority.

Upon consideration of the submission made on behalf of the parties, the Pradhan, Kushmondi no.4 Gram Panchayat, being the 5th respondent herein, is directed to consider and dispose of the representation within six weeks from the date of communication of the 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.

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 accordingly disposed of.

There shall however, be no order as to costs.

Since no affidavit is invited, the allegations contained in the 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.)