

April 27, 2026
(14) ARDR

WPA 5488 of 2026

Asiya Ansari @ Acchiya Ansari @ Achiya Bibi
Vs.
The State of West Bengal & ors.

Adv. Debapriya Majumder,
...for the petitioner.
Adv. Shibham Mahanwal,
...for the respondent no.7.
Adv. Kanak Kiran Bandyopadhyay,
...for the State.

Affidavit of service and the supplementary affidavit
filed by the petitioner are taken on record.

The petitioner alleges that the private respondents are raising unauthorised construction by encroaching upon the plot of the petitioner and without obtaining any sanction from the Panchayat. The petitioner filed a civil suit against the private respondents wherein an order of status quo has been granted by the learned trial Court. The allegation of encroachment is being dealt with by the learned trial Court. The petitioner submitted a representation with regard to unauthorised construction being raised by the private respondents before the concerned authority on 25th February, 2026 and seeks consideration of the same.

Upon consideration of the submission made on behalf of the parties, this Court directs the Pradhan, Beonta-II Gram Panchayat, being the 7th respondent herein, is directed to consider and dispose of the representation submitted by the petitioner dated 25th February, 2026 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 respondents, in accordance with law.

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

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

It is made clear that the 7th respondent shall deal with the issue of unauthorised construction allegedly being raised by the private respondents without obtaining sanctioned building plan. The issue of encroachment of the petitioner's plot shall be dealt with by the learned trial Court in the pending suit.

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.)