

April 27, 2026  
(15) ARDR

**WPA 5800 of 2026**

Sk. Jalaluddin  
Vs.  
The State of West Bengal & ors.

Adv. Bhagwat Chaudhuri,  
Adv. Manika Manna,  
...for the petitioner.  
Adv. Nilanjana Banerjee Pal,  
Adv. Payel Ghosh,  
...for the State.

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

The petitioner alleges illegal construction being raised by the private respondents without obtaining sanction from the concerned Panchayat. The petitioner submitted a representation in this regard before the concerned authority on 16<sup>th</sup> February, 2026 and seeks consideration of the same.

Upon consideration of the submission made on behalf of the petitioner and the State, this Court is inclined to hold that since the petitioner alleges unauthorised construction being raised by the private respondents and as the representation submitted by the petitioner in this regard is pending, the Pradhan, Mahiary-II Gram Panchayat, being the 7<sup>th</sup> respondent herein, is directed to consider and dispose of the same 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.

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.)**