

April 20, 2026
(66) ARDR

WPA 6122 of 2026

Mahim Pattari & ors.
Vs.
The State of West Bengal & ors.

Adv. Sudarshan Ghosh,
...for the petitioners.
Adv. Kaustav Chatterjee,
Adv. Dipankar Guha,
...for the respondent no. 8.

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

None appears for the State and Panchayat despite service.

Learned counsel for the petitioners submits that the private respondent is raising construction on land classified as shali without converting the classification of the land and without obtaining any sanction from the concerned Panchayat. The petitioners seek to submit a comprehensive representation before the concerned authority in this regard and seek a direction upon the authority to consider the same.

Denying such allegation, learned counsel for the private respondent submits that the private respondent has acquired title and possession in respect of the plot in question by virtue of purchase and is raising construction therein under the Banglar Bari (Gramin) Scheme.

Upon consideration of the submission made on behalf of the parties, this Court is of the view that the bone of contention between the parties can be resolved by the Pradhan, Rajapur Karabeg Gram Panchayat, being the 7th

respondent herein, upon hearing the parties and considering the documents placed by them before him.

In view of the above, liberty is granted to the petitioners to submit a comprehensive representation before the 7th respondent within seven days from date. The 7th respondent is directed to consider and dispose of the same within six weeks from the date of receipt thereof upon granting reasonable opportunity of hearing to all concerned including the petitioners and the private respondent and considering the documents placed by them before him at the time of hearing, in accordance with law.

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

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.)