

07
06.04.2026
Ct. No.15
b.das

WPA 6168 of 2026

Nemai Mandal
Vs.
The State of W. B. & Ors.

Mr. Anindya Sudar Das
Mr. P. C. Maity
Mr. Shaunak Ghosh
Ms. P. Mondal
Mr. Suman Halder
Mr. S. Bairagya ...for the petitioner.

Mr. Santanu Kr. Mitra
Ms. Anandamayee Ghosh ...for the State.

Affidavit of service filed by the petitioner and report submitted by the State are taken on record.

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

The petitioner alleges that the private respondents are raising construction under the Government Rural Housing Scheme on a path partially owned by the Panchayat and partially by the petitioner in violation of Rule 69/71 of the West Bengal Panchayat (Panchayat Samity Administration) Rules, 2008. The petitioner submitted a representation in this regard before the concerned authority on 27th February, 2026 which is yet to be considered. The petitioner seeks consideration of the same.

Upon consideration of the submission made on behalf of the parties, this Court is of the view that since the

representation submitted before the concerned authority is pending, the Pradhan, Harda Gram Panchayat, being the 5th respondent herein, is directed to consider and dispose of the same within six weeks from the date of communication of this order upon affording 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 parties within a week thereof.

There shall be no further construction on the path in question till disposal of the representation.

The writ petition is disposed of accordingly.

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.)