

WPA 6534 of 2026

Supravat Patra
Vs.
The State of W. B. & Ors.

Mr. Gautam Guria ...for the petitioner.

Mr. Santanu Chatterjee
Ms. Chandrani Mukherjee ...for the State.

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

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

The allegation of the petitioner is two-fold:- First, the private respondents have raised construction in the plot in question in violation of an order of permanent injunction granted by the learned Civil Court restraining them from raising construction in the property till partition of the property by metes and bounds. Second, the construction has been raised without obtaining sanction from the concerned Panchayat.

Heard learned counsels for the parties.

The first grievance of the petitioner with regard to violation of the order passed by the learned civil court shall be dealt with by the learned Civil Court. The petitioner is at liberty to approach the appropriate civil forum for redressal of his grievance.

With regard to the second allegation, it appears that in response to an application made by the petitioner under

the Right of Information Act, 2005, the concerned Panchayat has informed that no permission was granted to the private respondents for raising construction in the plot in question.

On prayer of the petitioner, liberty is granted to submit a comprehensive representation in this regard before the Pradhan, Iswarpur Gram Panchayat, being the 7th respondent within a fortnight from date. The 7th respondent is directed to consider and dispose of the representation within six weeks from the date of receipt thereof 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.

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

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.)