

17.06.2026
rc/ct.no.15
Item No.72

WPA No. 6539 of 2026
Dibakar Ghosh
Versus
The State of West Bengal & Ors.

Mr. Avijit Ganguly
Ms. Swapna Roy ..for the petitioner

Mr. Satrajit Sinha Roy
Mr. S. Ghosh
Ms. Sushmita Adhikary ...for the private respondent

Mr. D.N.Ray, Ld. G.P.
Mr. Madhu Jana
Ms. Puja Sonkar ...for the State

The petitioner alleges that the private respondents are raising unauthorized construction in the plot in question in respect of which the right, title and interest of the petitioner has been declared in earlier litigations filed by the petitioner. The petitioner submitted a representation in this regard before the concerned authority on March 10, 2026 and seeks consideration of the same.

Earlier, the private respondents raised unauthorized construction for which representation was submitted before the concerned authority by the petitioner. Since the representation was not considered the petitioner approached this Court in a writ petition being WPA No. 1615 of 2024. By an order passed on April 16, 2024 a coordinate Bench of this Court directed the Pradhan,

Charmajdia Charbrahmanagar Gram Panchayet to consider and dispose of the representation within a stipulated time frame. The order was not complied with for which a contempt application has been filed which is pending. After the said order further unauthorized construction is being raised by the private respondents in connection with which the present writ petition has been filed.

Denying such allegation learned counsel for the private respondents submits that the construction is being raised under the Pradhan Mantri Awas Yojana Scheme for which no sanction is required.

Whether the construction in question is being raised under the Pradhan Mantri Awas Yojana Scheme and is in conformity with the said scheme shall be decided by the appropriate authority. The Pradhan, Charmajdia Charbrahmanagar Gram Panchayet, being the 4th respondent herein, is directed to consider and dispose of the representation submitted by the petitioner in this regard within four weeks from the date of communication of this 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 parties 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 disposed of.

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)