

May 6, 2026
(63) ARDR

WPA 6910 of 2026

Panchanan Manna & ors.
Vs.
The State of West Bengal & ors.

Adv. Debasish Das,
...for the petitioner.
Adv. Santimay Bhattacharyya,
Adv. Ziaul Haque,
...for the respondent no.7.
Adv. Gour Baran Sau,
...for the respondent nos.11 & 12.

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

The State and the Panchayat are not represented despite service.

The petitioners allege that the private respondents are raising unauthorised construction without conversion of the plot in question which is recorded as jal in the L.R. record of rights. They have also not obtained any sanction from the concerned Panchayat for such construction.

Opposing such allegation, learned counsel for the private respondent nos. 11 and 12 submits that the construction is being raised in terms of the sanctioned building plan granted by the concerned Panchayat.

Upon consideration of the submission made on behalf of the parties, this Court is inclined to hold that since the petitioners allege unauthorised construction being raised by the private respondents without obtaining sanction and without conversion of the plot in question recorded as jal and also since the representation submitted by them in this regard before the concerned authority on

12th February, 2026 is still pending, the Pradhan, 13 Bakhrabad Gram Panchayat, being the 9th 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 petitioners 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 allegedly 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.)