

06.05.2026
rc/ct.no.15
Item No.58

WPA No. 6822 of 2026
Mir Khalil
Versus
The State of West Bengal & Ors.

Mr. Keshab Chandra Das
Ms. Aparajita Mondal ..for the petitioner

Mr. Kanak Kiran Bandyopadhyay...for the State

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

The Panchayat is not represented.

The petitioner alleges that the private respondent is raising construction in the plot in question without obtaining sanctioned plan from the concerned Panchayat. The petitioner submitted a representation in this regard before the concerned authority on January 22, 2025 which is yet to be considered. The petitioner seeks consideration of the same.

Denying such allegation, learned counsel for the private respondent submits that there is dispute with regard to the title of the plot in question between the parties. The private respondent has raised construction therein under the Pradhanmantri Awas Yojana Scheme for which no sanctioned plan is required.

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

the petitioner alleges authorized construction being raised by the private respondent and also, as the representation submitted by the petitioner in this regard is pending, the Pradhan, Ghoshpur 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 this order upon granting reasonable opportunity of hearing to all concerned including the petitioner and the private respondent, in accordance with law.

The parties shall be at liberty to produce relevant documents in support of their respective contention before the authority at the time of hearing.

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

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)