

WPA 6593 of 2025
Tripurari Pan
Vs.
The State of West Bengal & Ors.

Mr. Prasad Bhattacharyya,
Mr. Sourav Gupta

...for the Petitioner

Mr. Amit Ranjan Pati,
Ms. Swastika Chowdhury,
Mr. Avijit Chatterjee

...for Respondent Nos. 6 & 7

Mr. Siva Prosad Ghose,
Ms. Neha Roy,
Mr. Sujit Sahoo

...for Respondent No. 8

Mr. Susovan Sengupta,
Mr. Manas Kumar Sadhu

...for the State

It is contended that Plot No. 1198, J.L. No. 57, Mouza – Kamarberia, P.S. – Kotulpur, District – Bankura is a “Debottar” property and belongs to Sree Sree Sridhar Thakur Jew. The petitioner claims to be the Sebait of the deity. The petitioner alleges that Respondent No. 8, having no right, title, or interest in the property, has undertaken unauthorised construction thereon.

Respondent No. 8, on the other hand, submits that Plot No. 1198 is a secular property. He claims right, title, and interest in the said plot by virtue of two deeds of conveyance executed in the years 1957 and 1958.

This Court is not presently concerned with the question of right, title, and interest in respect of the land in question. The Panchayat has submitted before this Court that an inspection was conducted in the presence of both parties, during which it was found that Respondent No. 8

had constructed a building on Plot No. 1198.

It appears that although Respondent No. 8 applied for sanction of a building plan before the Panchayat on May 5, 2022, in respect of Plot Nos. 1196 and 1197, no permission was sought for Plot No. 1198. Furthermore, Respondent No. 8 was unable to produce any sanctioned plan authorising construction on Plot No. 1198.

It has also been submitted by the parties that, with regard to the ownership of Plot No. 1198, Title Suit No. 101 of 2022 is presently pending before the learned Civil Judge (Jr. Division), Bishnupur, Bankura.

In view of the aforesaid facts and circumstances, this Court is of the opinion that Respondent No. 8 ought not to be permitted to proceed with any further construction on Plot No. 1198 unless duly authorised by the competent Civil Court. The parties shall be at liberty to file appropriate applications in the pending civil suit seeking necessary reliefs in accordance with law. Respondent No. 8 is restrained from making any further construction on Plot No. 1198 until orders are passed by the Civil Court.

Accordingly, the writ petition is disposed of with a direction upon the Panchayat to issue a stop-work notice to Respondent No. 8 restraining him from carrying out any further construction on Plot No. 1198. Such stop-work notice shall abide by any order that may be passed by the Civil Court in the pending suit.

Accordingly, **WPA 6593 of 2025** stands disposed of.

Urgent certified *website* copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Kausik Chanda, J.)