

June 17, 2026
(76) ARDR

WPA 7100 of 2026

Jakir Hossain Molla
Vs.
The State of West Bengal & ors.

Adv. Anindya Bose,
Adv. Golam Mahiuddin,
Adv. Raina Das,
Adv. Kaif Hossain,
...for the petitioner.
Adv. Rabindra Narayan Dutta,
Adv. Arkoday Mukherjee,
Adv. Soham Banerjee,
...for the respondent nos. 8 and 9.
Adv. D. N. Ray, Ld. G.P.,
Adv. Madhu Jana,
Adv. Puja Sonkar,
...for the State.

The petitioner alleges that the private respondents are raising construction without obtaining sanction from the concerned Panchayat and in violation of building rules. The petitioner submitted a representation in this regard before the concerned authority on 24th November, 2025 and seeks consideration of the same.

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.

The contention of the private respondents needs to be considered by the appropriate authority. Since the representation submitted by the petitioner on 24th November, 2025 is pending, the Pradhan, Bhabanipur I Gram Panchayat, being the 3rd respondent herein, is directed to consider and dispose of the same 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 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.)