

WPA 7182 of 2026

Gayatri Sarkar & Anr.
Vs.
The State of W. B. & Ors.

Mr. Lakshminath Bhattacharya
Mr. Subhankar Bose ...for the petitioners.

Mr. Rameshwar Sinha ...for the private respondent.

Mr. Pankaj Halder
Mr. Dipannita Laha ...for the respondent no.9.

Mr. Madhu Jana
Ms. Puja Sonkar ...for the State.

The petitioners allege that the private respondents have raised unauthorized construction on plot no.529 in Mouja Bazar which is an undivided property without obtaining any sanction from the concerned Panchayat. The petitioners submitted a representation before the concerned authority in this regard on 26th February, 2026 and seek consideration of the same.

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

Learned counsel for the Panchayat submits that the representation submitted by the petitioners be directed to be considered in accordance with law.

Whether the construction in question has been raised under the Pradhan Mantri Awas Yojana Scheme and whether there has been any deviation from the said Scheme in the said construction requires to be considered by the appropriate authority.

Since the representation submitted by the petitioners before the Panchayat is pending, the Pradhan, Debipur Gram Panchayat, being the 9th respondent herein, is directed to consider and dispose of the same within four weeks from the date of communication of this order upon affording reasonable opportunity of hearing to all concerned including the petitioners and the private respondents, in accordance with law.

The parties are at liberty to place relevant documents in respect of their respective contention before the said authority at the time of hearing.

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 unauthorized/illegal, the concerned authority shall take necessary steps in accordance with law.

The writ petition is disposed of accordingly.

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.)