

June 19, 2026
(39)

WPA 7591 of 2026

Mosri @ Mosirruddin

Vs.

The State of West Bengal & ors.

Adv. Sayantan Hazra,
Adv. Shalini Sen

...for the petitioner.

Adv. Sourav Koley,
Adv. Jenifar Alam Megha,

...for the respondent no.9.

Adv. Madhu Jana,
Adv. Puja Sonkar,

...for the State.

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

The Panchayat is not represented despite service.

The petitioner and the private respondent are co-sharers in respect of the plot in question. A civil suit is pending between them. The petitioner alleges that the private respondent is raising construction in the said plot which is agricultural land without conversion of the same and without obtaining sanction from the concerned Panchayat. The petitioner seeks to submit a comprehensive representation before the concerned authority ventilating his grievance and prays for consideration of the same.

Learned counsel for the private respondent denies and disputes the allegation of the petitioner and submits that the dispute is purely civil in nature and may be considered by the learned civil Court.

The civil dispute between the parties shall be dealt with by the learned civil Court in the pending suit. Since

the petitioner alleges that the private respondent is raising construction on agricultural land without conversion of the same and without obtaining sanction from the concerned Panchayat, he is at liberty to submit a comprehensive representation before the Pradhan, Ramganj I Gram Panchayat, being the 7th respondent herein, within a week from date. The 7th respondent is directed to consider and dispose of the same within four weeks from the date of receipt thereof upon granting reasonable opportunity of hearing to all concerned including the petitioner and the private respondent, 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 respondent 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.)