

WPA 7662 of 2026

Minakshi Dey Adak
Vs.
The State of W.B. & Ors.

Mr. Santimay Bhattacharyya
Mr. Ziaul Haque ...for the petitioner.

Mr. Siddhartha Sarkar
Mr. Sourav Gupta ...for the private respondents.

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

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

The petitioner alleges that the private respondents have raised unauthorized construction in Dag No.252 in Mouja Gotgeria which is classified as 'Jal' without conversion of the same and without obtaining sanction from the concerned Panchayat. The petitioner submitted a representation in this regard before the concerned authority on 30th November, 2025 and seeks consideration of the same.

Denying such allegations, learned counsel for the private respondents submits that the private respondents have raised construction in Dag No.251 which is their raiyati property in terms of sanctioned building plan granted by the concerned Panchayat in 2009. No construction has been raised by them in Dag No.252.

The contention of the private respondents needs to be verified by the concerned authority. Since the representation submitted by the petitioner on 30th November, 2025 is pending, the Pradhan, Duan Gram Panchayat, being the 2nd 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 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 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.)