

June 16, 2026
(36) ARDR

WPA 7663 of 2026

Sekh Abdul Rohim & anr.
Vs.
The State of West Bengal & ors.

Adv. Md. Salahuddin,
Adv. Md. Raziuddin,
Adv. Maroof Zahedi,

...for the petitioners.

Adv. Siddharth Sarker,
Adv. Sourav Gupta,

...for the private respondents.

Adv. Madhu Jana,
Adv. Puja Sonkar,

...for the State.

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

The Panchayat is not represented despite service.

The petitioners allege that the private respondents are raising construction in plot nos. 286 and 287 under Mouza Dharampur which are recorded as 'pukurpar' and 'pukur' respectively without conversion of the same and without obtaining sanction from the concerned Panchayat. In response to an application submitted by the petitioners under the Right to Information Act, 2005, they were informed that no sanction was granted to the private respondents in respect of the construction in plot nos. 286 and 287. The petitioners submitted a representation in this regard before the concerned authority on 5th December, 2025 and seek consideration of the same.

Denying such allegation, learned counsel for the private respondents submits that the construction has been raised in plot no. 290 and not in plot nos. 286 and 287 as alleged.

Such contention needs to be ascertained by the appropriate authority. Since the representation submitted by the petitioners before the concerned Panchayat is pending, the Pradhan, Sahaspur 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 petitioners 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.)