

June 23, 2026
(35) ARDR

WPA 8025 of 2026

Ranu Mondal
Vs.
The State of West Bengal & ors.

Adv. Chitta Ranjan Chakraborty,
Adv. Sumit Banerjee,
Adv. Soma Das,
Adv. Pusp Rani Jaiswara,
...for the petitioner.
Adv. Dilip Kumar Shyamal,
Adv. Gourab Ghosh,
Adv. Pratap Kumar Yadav,
...for the private respondents.
Adv. Madhu Jana,
Adv. Puja Sonkar,
...for the State.

Affidavit of service and the supplementary affidavit of service filed by the petitioner are taken on record.

Learned counsel for the petitioner submits that the private respondents are raising construction without obtaining any sanction from the concerned Panchayat and in violation of building rules. In doing so, they have demolished the boundary wall of the petitioner. The petitioner submitted a representation in this regard before the concerned authority on 23rd December, 2025 and seeks consideration of the same.

Denying such allegation, learned counsel for the private respondents submits that the construction raised by the private respondents is a very old structure. No new construction has been raised by them. On the contrary, the petitioner created continuous nuisance in the plot owned by the private respondents for which they lodged a complaint against the petitioner before the concerned

police station on 23rd August, 2025. Learned counsel has also produced copies of tax receipts and the complaint in support of his contention.

Upon consideration of the submission made on behalf of the parties, this Court is of the view that since the petitioner alleges that new construction is being raised by the private respondents in the plot in question without sanction from the Panchayat and in violation of building rules, the Pradhan, Sikherbali 2 Gram Panchayat, being the 6th respondent herein, is directed to consider and dispose of the representation submitted by the petitioner on 23rd December, 2025 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 parties shall be at liberty to produce relevant documents in support of their respective contention before the 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 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.)