

22.06.2026
rc/ct.no.15
Item No.42

WPA No. 8062 of 2026
Abdul Kader Mondal
Versus
The State of West Bengal & Ors.

Mr. Niladri Sekhar Ghosh
Mr. Souvik Dey
Ms. Labani Sikdar ..for the petitioner

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

Mr. Abu Abbas Uddin
Abdul Mannan Mollah ...for the respondent no. 6

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

The Panchayat is not represented despite service.

The petitioner alleges that the private respondent has raised construction by filling up waterbody in plot no. 768 in Mouza- Chandanpur. In response to an application filed by the petitioner under the Right to Information Act, 2005, the Executive Assistant, Chandanpur Gram Panchayat informed that no sanction was sought by the private respondent for raising construction in plot no. 768. The petitioner submitted a representation in this regard before the concerned authority on March 16, 2026 and seeks consideration of the same.

Denying such allegation, learned counsel for the private respondent submits that the private respondent has raised construction in Dag No. 763 in terms of

sanctioned building plan granted in his favour in the year 2015. No construction has been raised by the private respondent in any portion of plot no. 768.

Since the petitioner alleges that the private respondent has raised construction in a portion of Dag No. 768 by filling up water body therein despite the fact that they may have been granted sanction in respect of sanction in Dag No. 763, the Pradhan, Chandanpur Gram Panchayat, being the 4th respondent herein, is directed to consider and dispose of the representation submitted by the petitioner dated March 16, 2026 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 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 disposed of.

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)