

M/L. 905
19.02.2026
S.D.

W.P.A. 7905 of 2025

**Mrinal Kanta Paul & Ors.
Vs.
The State of West Bengal & Ors.**

Mr. Aswini Kujmar Bera
Mr. Arijit Bera
..For the petitioners

Mr. Lalit Mohan Mahata, Ld. A.G.P.,
Mr. Ziaul Haque
...For the State

Mr. Nandadulal Bandyopadhyay
...For the respondent nos. 7 & 8

The petitioner alleges that Respondent Nos. 7 and 8 have undertaken unauthorized construction, leaving a gap of only four inches from the petitioner's residential house.

Learned counsel appearing for the petitioner has drawn the attention of this Court to Annexure "P-2" to the writ petition, contending that despite a representation submitted by the petitioner, the Pradhan of the concerned Gram Panchayat has failed to take any action. It is further submitted that the petitioners initiated proceedings under Section 163 of the Bharatiya Nagarik Suraksha Sanhita,

2023 before the Executive Magistrate, Kharagpur. During the pendency of the said proceedings, by an order dated October 22, 2024, the Executive Magistrate directed the concerned Block Land & Land Reforms Officer to submit a report.

Upon submission of the said report, Respondent Nos. 7 and 8 temporarily halted the construction. However, after a few months, they resumed the same. The petitioners thereafter submitted a further representation to the respondents on February 15, 2025, seeking restraint against Respondent Nos. 7 and 8 from carrying out any unauthorized construction. No steps having been taken pursuant thereto, the present writ petition was filed in April 2025.

In view of the foregoing, this Court is of the opinion that the petitioner has consistently approached the competent authorities with regard to the alleged unauthorized construction undertaken by Respondent Nos. 7 and 8, but no effective action has been taken by the respondent authorities.

Accordingly, the writ petition is disposed of with a direction upon Respondent No. 5 to consider the petitioner's representation, as appearing at page 25 of the

writ petition, and to take necessary steps in accordance with Section 23(5) of the West Bengal Panchayat Act, 1973 within a period of one month from the date of communication of this order.

(Kausik Chanda, J.)