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jdt. 11.05.2026
jb.

WPA 8375 of 2026
(Khokan Molla vs. State of West Bengal & Ors.)
Samim Ahammed
Md. Nasirul Haque
.... For the Petitioner
Ms. Ivan Roy
Mr. Kaustabh Banerjee
.... For the Private Respondent

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

None appears for the State and the Panchayat despite service.

The petitioner alleges that the private respondents have raised unauthorised construction without obtaining sanction from the concerned Panchayat. He submitted a representation in this regard before the concerned authority and seeks consideration of the same.

Denying such allegation, learned counsel for the private respondent nos. 11 to 20 and 23 to 30 submits that no construction is being raised by these respondents in the plot in question at present. The construction standing thereon has been raised long back after obtaining sanctioned building plan.

Upon consideration of the submission made on behalf of the parties, this Court is of the view that since the representation submitted by the petitioner alleging unauthorised construction raised by the private respondents is pending before the concerned authority,

the Pradhan, Shalipur Gram Panchayat, being the 5th respondent herein, is directed to consider and dispose of the same within six 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 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 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.)