

June 11, 2026
(109) (M/L) ARDR

WPA 8058 of 2025

Pitambar Mandal
Vs.
The State of West Bengal & ors.

Adv. Partha Pratim Roy,
Adv. Samrat Chakraborty,
Adv. Saikat Gayen,

...for the petitioner.

Adv. Madhu Jana,
Adv. Puja Sonkar,

...for the State.

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

The Panchayat and the private respondents are not represented despite service.

Learned counsel for the petitioner submits that the private respondents have raised unauthorised construction by encroaching upon the petitioner's property without obtaining any sanction from the concerned Panchayat. The petitioner seeks to submit a representation before the concerned authority ventilating his grievance.

Upon consideration of the submission made on behalf of the parties, this Court is of the view that the allegation of the petitioner with regard to encroachment of his land shall be dealt with by the appropriate civil forum. The petitioner is at liberty to approach the said forum for redressal of his grievance.

Since the petitioner alleges unauthorised construction being raised by the private respondents without obtaining sanction from the concerned Panchayat, liberty is granted to submit a comprehensive

representation in this regard before the Pradhan, Malibari
1 Gram Panchayat, being the 8th respondent herein, within
one week from date. The 8th respondent is directed to
consider and dispose of the same within four weeks from
the date of receipt thereof 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 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.)