

WPA 8466 of 2026

Tapendra Kumar Bera
Vs.
The State of W.B. & Ors.

Mr. Manoranjan Jana
Ms. Mitali Jana ...for the petitioner.

Mr. Raj Kumar Sain
Mr. P. Guria ...for the respondent no.9.

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

The State and the Panchayat are not represented despite service.

Learned counsel for the petitioner submits that the private respondent is raising unauthorized construction without obtaining sanction from the concerned Panchayat. The petitioner submitted a representation in this regard before the concerned authority on 20th January, 2026 and seeks consideration of the same.

Denying such allegation, learned counsel for the private respondent submits that the construction raised by the private respondent is a tin structure which does not require sanction under Section 23 of the West Bengal Panchayat Act, 1973.

Be that as it may, since the representation submitted by the petitioner before the concerned authority is pending, the Pradhan, Birbanda 4 No. Gram Panchayat, being the

8th respondent herein, is directed to consider and dispose of the same within six weeks from the date of communication of this order upon affording 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 unauthorized/illegal, the concerned authority shall take necessary steps in accordance with law.

The writ petition is disposed of accordingly.

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.)