

WPA 8462 of 2026

Nurshila Mallick @ Nurshila Begum & Anr.
Vs.
The State of W.B. & Ors.

Sk. Jahadar Alam ...for the petitioner.

Mr. Satyendra Agarwal
Mr. Bijoy Bag
Mr. Goutam Malik...for respondent no.7.

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

The State, Zilla Parishad and the Panchayat are not represented despite service.

The petitioners allege that the private respondent is raising construction without obtaining sanction from the concerned Panchayat. The petitioners submitted a representation in this regard before the concerned authority on 5th March, 2026 and seek consideration of the same.

Denying such allegation, learned counsel for the private respondent submits that the sister in law (brother's wife) of the private respondent is raising construction on the plot in question under Banglar Bari (Gramin) Scheme and the private respondent is only helping her in raising such construction.

Upon consideration of the submission made on behalf of the parties and material on record, this Court is of

the view that though it prima facie appears that one Rejiya Begum has been granted fund to raise construction under Banglar Bari (Gramin) Scheme, the name of the private respondent does not transpire from the said document. Also, the relationship between the private respondent and Rejiya Begum is not clear from the record.

Since the representation submitted by the petitioners before the concerned authority is pending, the Pradhan, Khalore 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 affording reasonable opportunity of hearing to all concerned including the petitioner and the private respondent, in accordance with law.

The parties shall be at liberty to produce relevant documents before the said authority in support of their respective contention at the time of hearing.

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.)