

April 21, 2026
(28) ARDR

WPA 8835 of 2026

Tahajuddin Ahmed & anr.
Vs.
The State of West Bengal & ors.

Sr. Adv. Milon Chandra Bhattacharyya,
Adv. Sulagna Bhattacharyya
...for the petitioners.
Adv. Asish Kumar Guha,
Adv. Joyak Kumar Gupta,
...for the State.

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

None appears for the Panchayat and the private respondents despite service.

The petitioners claim to be the recorded owners of the plot in question and allege that the private respondents have raised unauthorised construction by filling up the water body. The plot in question has been recorded as jal as certified by the Pradhan, Ghorama Gram Panchayat by a letter issued on 5th March, 2026. The petitioners seek to submit a comprehensive representation before the concerned Panchayat and seek further direction upon the Pradhan to consider the same at the earliest.

Upon consideration of the submission made on behalf of the parties, this Court is of the view that since the petitioners allege that the plot in question which has converted into a water body by efflux of time is being filled up by the private respondents who are raising unauthorised construction therein, liberty is granted to the petitioners to submit a comprehensive representation ventilating their grievance before the Pradhan, 10

Ghoramara Gram Panchayat, being the 7th respondent herein, within a fortnight from date. The 7th respondent is directed to consider and dispose of the same within six weeks from the date of receipt thereof upon granting reasonable opportunity of hearing to all concerned including the petitioners and the private respondents, particularly in terms of rule 22(2) of the West Bengal Panchayat (Gram Panchayat Administration) Rules, 2004.

The decision taken by the authority shall be communicated to the parties within a week thereof.

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.)