

**54 (ML)**  
**11.06.2026**  
Ct. No.15  
**b.das**

**WPA 9583 of 2026**

**Sirajul Sk. & Ors.**  
**Vs.**  
**The State of W.B. & Ors.**

Mr. Hamidur Rahaman ...for the petitioners.

Mr. Mrinal Kanti Ghosh ...for the private respondent.

Mr. Madhu Jana  
Ms. Puja Sonkar ...for the State.

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

The Panchayat is 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 16<sup>th</sup> March, 2026 and seek consideration of the same.

Learned counsel for the private respondent submits that a civil suit is pending between the parties in respect of the plot in question wherein the learned Trial Court has restrained both the parties from raising any construction in the said plot.

Upon consideration of the submission made on behalf of the parties, this Court is of the view that the civil dispute between the parties shall be dealt with by the

learned Trial Court. Since the petitioners allege unauthorized construction being raised by the private respondent without obtaining sanction from the Panchayat, the Pradhan, Katlamari 2 Gram Panchayat, being the 3<sup>rd</sup> respondent herein, is directed to consider and dispose of the representation submitted by the petitioners dated 16<sup>th</sup> March, 2026 within four weeks from the date of communication of this order upon affording reasonable opportunity of hearing to all concerned including the petitioners 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.)**