

WPA 9610 of 2026

**Azharuddin Sk. & Anr.
Vs.
The State of West Bengal & Ors.**

**Mr. Debasis Sur,
Mr. Hara Krishna Halder,
Mr. Himadri Paul.**

... for the petitioners

**Mr. Maidul Islam Kayal,
Mr. Archish Man Singh,
Mr. Noorul Amin Sardar.**

**... for the respondent
nos. 6 to 8**

Affidavit of service filed in Court today is taken on record.

The State and the Panchayat are not represented despite service.

The petitioners allege that the private respondents are raising pucca construction without obtaining sanction from the concerned Panchayat and in violation of the building rules.

Denying such allegation, learned counsel for the private respondents submits that since the mud house of the private respondents was destroyed in the monsoon season, they have raised construction within the plinth area of the earlier house which does not require sanction under Section 23 of the West Bengal Panchayat Act.

The said issue needs to be considered by the concerned Panchayat.

On prayer of the petitioner, liberty is granted to submit a comprehensive representation before the

Pradhan, being the 2nd respondent herein, ventilating his grievance, within a week from date.

The Pradhan, Purba Bishnupur Gram Panchayat, being the 2nd 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 petitioners 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 are found to be unauthorized/illegal, 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 writ petition are deemed not to have been admitted.

Urgent certified website copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

(Suvra Ghosh, J.)