

June 25, 2026
(59) ARDR

WPA 9363 of 2025

Rampada Das
Vs.
The State of West Bengal & ors.

Adv. Soumik Ganguly,
...for the petitioner.
Adv. Madhu Jana,
Adv. Puja Sonkar,
...for the State.

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

The Panchayat and the private respondents are not represented despite service.

Alleging unauthorised construction raised by the private respondents, the petitioner approached this Court in a writ petition being WPA 20018 of 2021. By an order passed on 24th March, 2022, this Court directed the competent authority, Haipur Gram Panchayat to proceed in accordance with law by adopting a particular procedure. The order was not complied with for which a contempt application was filed. Subsequently the issue was taken up for consideration by the Pradhan, Haiur Gram Panchayat who by an order passed on 27th April, 2023 held that the construction raised by the private respondents was illegal and unauthorised. The matter was sent to the Sub Divisional Officer, Contai for taking necessary steps in accordance with law. The Sub Divisional Officer dealt with the matter and by an order passed on 17th January, 2024, directed the private respondents to demolish the building erected in contravention of the provision of Section 23(5) of

the West Bengal Panchayat Act, 1973 within fifteen days from the date of receipt of the order and restore the plots to its original status. In default, the Pradhan, Haipur Gram Panchayat was directed to demolish the same and recover the cost thereof from the owner, i.e. respondents as public demand. The said order was assailed by the private respondents before this court and by an order passed on 7th February, 2025 in WPA 2909 of 2025, this Court dismissed the writ petition.

Learned counsel for the petitioner submits that despite such prolonged process for demolition of the unauthorised construction, the construction is still standing and has not been demolished.

In view of the orders passed by the concerned authority as well as this Court, the Pradhan, Haipur Gram Panchayat, being the 8th respondent herein, is directed to demolish the unauthorised/illegal construction raised by the private respondents within four weeks from the date of communication of this order.

The Officer in charge, Contai Police Station, being the 6th respondent herein, is directed to render necessary assistance to the 8th respondent in this regard.

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.)