

April 6, 2026
(35) ARDR

WPA 9965 of 2024

Swapam Ghosh
Vs.
The State of West Bengal & ors.

Adv. Loknath Paul,
Adv. Anirban Datta,
...for the petitioner.
...for the State.

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

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

Learned counsel for the petitioner submits that the private respondent is raising construction without obtaining any sanction from the concerned Panchayat and in violation of the building rules. In reply to an application under the Right to Information Act made by the petitioner, the Executive Assistant in Charge, Bilkanda 2 Gram Panchayat has informed that the private respondent has not obtained any valid building plan for the construction in question. The petitioner submitted a representation before the concerned authority in this regard on 19th February, 2024 and seeks consideration of the same.

In view of the fact that the concerned authority has prima facie held that the construction raised by the private respondent does not have any valid building plan and also, since the petitioner submitted a representation in this

regard which is pending, the Pradhan, Bilkanda 2 Gram Panchayat, being the 6th 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 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 illegal/unauthorised, 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 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.)