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jdt. 11.06.2026
jb.

WPA 9618 of 2025
(Dr. Nabakumar Maiti vs. State of West Bengal & Ors.)

Mr. Barun Kumar Samanta
.... For the Petitioner
Mr. Uttam Kr. Bhattacharyya
.... For the Respondent nos. 3-5

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

Heard learned counsels for the parties.

Alleging unauthorised construction raised within the jurisdiction of Purba Medinipore Zilla Parishad, the petitioner approached this Court in a writ petition being WPA 17106 of 2023. In the said writ petition the petitioner alleged that the hearing officer was not appointed in terms of Section 160A (6) of the West Bengal Panchayat Act, 1973. By an order passed on 16th January, 2024, a co-ordinate Bench of this Court directed the hearing officer to fix a date for spot inspection upon intimation to the parties and thereafter make a recommendation and forward the same to the executive officer in accordance with the provisions of the Act. The said order was carried in appeal by the private respondents and by an order passed on 5th April, 2024 in MAT 209 of 2024 the Hon'ble Division Bench of this Court observed that the grievance of the appellants was redressed as one Sri Arup Kumar

Mondal was appointed as hearing officer on re-employment basis in Purba Medinipur Zilla Parishad and Sri Mondal had no other connection with the Zilla Parishad.

It appears from a letter issued by the executive officer, Purba Medinipur Zilla Parishad on 14th November, 2024 that the appointment of the hearing officer was cancelled since he was unable to join the post within the stipulated period. The petitioner submitted a representation before the concerned authority on 17th January, 2025 through his learned advocate seeking appointment of another hearing officer. The representation is yet to be considered.

Learned counsel for the Zilla Parishad submits that despite several attempts made by the Zilla Parishad, no application for appointment to the post of hearing officer has been found/submitted.

Upon consideration of the submission made on behalf of the parties, this Court is inclined to hold that since appointment of hearing officer is urgently required in order to deal with the issue of alleged unauthorised construction pending before the authority, the District Magistrate, Purba Medinipore, being the 2nd respondent herein, is directed to consider the representation submitted by the petitioner dated 17th January, 2025 and take necessary steps for appointment of a hearing

officer within four weeks from the date of communication of this order.

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

The writ petition is disposed of.

There shall be no order as to costs.

Since no affidavit has been invited, allegations contained in the writ petition shall be 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.)