

20.05.2026
rc/ct.no.15
Item No.39

WPA No. 10485 of 2026
Ajit Kumar Dutta
Versus
The State of West Bengal & Ors.

Mr. Arup Kundu ..for the petitioner

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

The respondents are not represented despite service.

The petitioner claims to be the co-sharer in respect of the plot in question with the private respondents and alleges that the private respondents have raised unauthorized construction in the said plot without obtaining sanction from the concerned Panchayat. In response to a letter issued by the petitioner to the Panchayat, the Pradhan, Moshiara Gram Panchayat has stated by a letter issued on April 08, 2026 that no such building permission was granted in favour of the private respondents by the Panchayat. The petitioner submitted a representation in this regard before the concerned authority on April 09, 2026 and seeks consideration of the same.

In view of the above, the Pradhan, Moshiara 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 granting

reasonable opportunity of hearing to all concerned including the petitioner 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 is found to be unauthorised/illegal, the concerned authority shall take necessary steps, in accordance with law.

The writ petition is 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 this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh,J)