

June 15, 2026
(35) ARDR

WPA 10035 of 2025

Jagannath Saha & ors.
Vs.
The State of West Bengal & ors.

Adv. Manas Kumar Das,
Adv. Aritra Kumar Thokdar,

...for the petitioners.

Adv. Madhu Jana,
Adv. Puja Sonkar,

...for the State.

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

The Panchayat and the private respondent are not represented.

The petitioners claim to be recorded owners of the water body in question and allege that the private respondent is raising construction by filling up some portion of the water body illegally. The petitioners submitted a representation before the concerned authority in this regard on 17th May, 2025 and seek consideration of the same.

In view of the above, the Pradhan, Jasohari Anukha 1 Gram Panchayat, being the 5th respondent herein, is directed to consider and dispose of the representation submitted by the petitioners on 17th May, 2023 within four weeks from the date of communication of this order upon granting reasonable opportunity of hearing to all concerned including the petitioners 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.)