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jdt. 18.05.2026
jb.

WPA 10656 of 2026
(Halim Mallick @ Abdul Halim Mallick vs. State of West Bengal & Ors.)
Mr. Chiratan Sarkar
.... For the Petitioner

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

The respondents are not represented despite service.

In an earlier writ petition being WPA 8394 of 2025, the private respondents alleged that the petitioner raised unauthorised construction without obtaining sanction from the concerned Panchayat. By an order passed on 25th February, 2026, a co-ordinate Bench of this Court directed disposal of the representation submitted by the private respondents before the Gram Panchayat. Learned counsel for the petitioner herein submits that the petitioner has obtained sanctioned building plan from the concerned Panchayat for raising construction. The private respondents who were the petitioners in the earlier writ petition have raised unauthorised construction without obtaining sanction from the Panchayat. The petitioner submitted a representation before the concerned authority on 13th April, 2026 and seeks consideration of the same with the representation submitted by the private respondents.

In view of the fact that both the parties allege raising of unauthorised construction by each other and since representation submitted by the private respondents earlier is pending, as informed, the Pradhan, Harinkhola-I Gram Panchayat, being the 5th respondent herein, is directed to

consider and dispose of the representation submitted by the petitioner dated 13th April, 2026 along with earlier representation submitted by the private respondents before him 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 any of the constructions is found to be illegal/unauthorised, the concerned authority shall take necessary steps in accordance with law.

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.)