

29
jdt. 18.05.2026
jb.

WPA 10669 of 2026
(Rajkumar Mondal vs. State of West Bengal & Ors.)

Mr. Tanmoy Mukherjee
Mr. Souvik Das
Abul Mallick

.... For the Petitioner

Mr. S. K. Roy

.... For the Private Respondent no. 10

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

The respondents except respondent no. 10 are not represented despite service.

The petitioner alleges that the private respondents are raising unauthorised construction without obtaining any sanction from the concerned Panchayat. A civil suit is pending between the parties wherein the learned trial Court has granted an order of injunction restraining the private respondents from raising any illegal construction in the plot in question. The petitioner submitted a representation ventilating his grievances before the authority on 9th March, 2026 which is yet to be considered.

Opposing such allegation learned counsel for the private respondent no. 10 submits that several prayers have been made by the petitioner in a single writ petition. The writ petition deals with an application under the Right to Information Act, an order of the civil Court as well as unauthorised construction.

The issue with regard to alleged violation of the order of injunction passed by the learned trial Court shall be dealt

with by the learned trial Court at the appropriate stage of the proceeding before it.

In so far the allegation of unauthorised construction is concerned, since the representation submitted by the petitioner in this regard is pending, the Pradhan, Rudrapur Gram Panchayat, being the 8th 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, 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 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.)