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31.03.2026
Ct. No.15
b.das

WPA 10124 of 2025

Jayanta Bhusan Bhattacharjee
Vs.
The State of W. B. & Ors.

Ms. Soumi Guha Thakurta
Ms. Madiha Haider ...for the petitioner.

Sk. Rejaul Alam ...for respondent no.3.

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

None appears for the Panchayat and the private respondent despite service.

Learned counsel for the petitioner submits that the private respondent has been raising construction by filling up the water body and obtaining sanctioned plan from the concerned Panchayat illegally.

The plots in question have been recorded as 'Jal'. Several representations submitted by the petitioner before the concerned authority in this regard have fallen on deaf ears. The construction is still continuing.

It appears that the plots in question have been recorded as 'Jal'. Learned counsel for the Haldia Development Authority submits that approval for conversion of one of the plots has been granted by the authority.

Since the representations submitted by the petitioner before the concerned authority are still pending, the Pradhan, Gokul Nagar Gram Panchayat, being the 4th respondent herein, is directed to consider and dispose of the representations dated 4th January, 2021, 27th August, 2024, 2nd September, 2024 and 19th September, 2024 within six weeks from the date of communication of this order upon affording reasonable opportunity of hearing to all concerned including the petitioner 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 it is found that conversion/construction has been made in an illegal/unauthorized manner, the concerned authority shall take necessary steps in accordance with law.

Pending disposal of the representations, no further construction shall be carried on in the plots in question.

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.)