

27
01.07.2026
Ct. No.15
b.das

WPA 10228 of 2025

Tapan Kumar Basak & Anr.
Vs.
The State of W.B. & Ors.

Ms. Paulami Chakraborty ...for the petitioners.

Ms. Manali Biswas ...for the private respondents.

Mr. Madhu Jana
Ms. Puja Sonkar ...for the State.

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

The Panchayat is not represented despite service.

The petitioners allege that the private respondents have raised a boundary wall adjacent to the petitioners' property without leaving requisite side space. Such allegation is denied by the private respondents who submitted that they have constructed an asbestos shed in their vacant land in order to protect material lying therein from the rain.

Upon consideration of the submission made on behalf of the parties, this Court is of the view that the allegation raised by the petitioners and the contention of the private respondents need to be verified by the appropriate authority. Since the representation submitted by the petitioners before the concerned authority on 27th December, 2024 is pending, the Pradhan, Manindranagar Gram Pachayat, being the 3rd respondent herein, is

directed to consider and dispose of the same within four weeks from the date of communication of this order upon affording reasonable opportunity of hearing to all concerned including the petitioners 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 illegal/unauthorized, the concerned authority shall take necessary steps in accordance with law.

The writ petition is disposed of accordingly.

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.)