

30.03.2026
rc/ct.no.15
Item No.30

WPA No. 10447 of 2025
Nikhil Singha Mahapatra
Versus
The State of West Bengal & Ors.

Mr. Debasish Sur
Mr. Rajib Kumar Acharyya
Mr. Banshi Badan Maity ..for the
petitioner

Mr. Debjit Mukherjee
Mrs. Susmita Chatterjee ..for the State

Mr. Sabir Ahmed
Mr. Dhiman Banerjee
Mr. Dilwar Azad ...for the respondent no. 6

Learned counsel for the petitioner submits that alleging unauthorized construction raised by the private respondent a writ petition being WPA No. 9768 of 2024 was filed. By an order passed on December 04, 2024 a coordinate Bench of this Court directed the Pradhan to consider and dispose of the representation submitted by the petitioner in this regard within a stipulated time frame. In disposing of the representation, the Pradhan, Mandalgram Gram Panchayat has observed that the new construction raised by the private respondent adjoining the old construction is without any sanction from the Panchayat. Strangely, no further step has been taken by the Pradhan for demolition of the unauthorized construction.

In view of the above, this Court is inclined to hold that since it is found that the new construction raised by the private respondent is without obtaining any sanctioned plan, the Pradhan, Mandalgram Gram Panchayat, being the 5th respondent herein is directed to take necessary steps for demolition of the said construction within two weeks from the date of communication of this order, in accordance with law.

This Court is informed that a civil suit in respect of the plot in question is pending between the parties wherein the learned trial Court has granted an order of status quo. However, since the construction in question has been found to be unauthorized, pendency of the civil suit shall not restrain the Pradhan from effecting such demolition.

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)