

WPA 10794 of 2025

Debashri Hait
Vs.
The State of W. B. & Ors.

Mr. Kushal Chatterjee
Mr. P. Mukherjee
Mr. Sibashis Choudhury ...for the petitioner.

Mr. Mohan Kr. Sanyal
Mr. Priyabrata Ghosh ...for the State.

Mr. Tanmoy Chowdhury
Ms. Rito Prita Ghosh ...for the respondent no.8.

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

None appears for the Panchayat despite service.

It is not in dispute that the petitioner and the private respondent are co-sharers in respect of the plot in question. A partition suit is pending between them. The petitioner alleges that the private respondent has been raising construction in the plot without obtaining sanctioned plan. The petitioner submitted a representation before the concerned authority in this regard on 14th February, 2025 which is yet to be considered. The petitioner seeks consideration of the same.

Denying such allegation, learned counsel for the private respondent submits that the private respondent has only effected repairs to the existing construction. No new construction has been raised by the private respondent.

Since the representation submitted by the petitioner is yet to be considered, the Pradhan, Madhabpur Gram Panchayat, being the 6th respondent herein, is directed to consider and dispose of the representation submitted by the petitioner dated 14th February, 2025 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.

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.)