

June 22, 2026
(16) ARDR

WPA 11296 of 2026

Ashabrata Sardar & anr.
Vs.
The State of West Bengal & ors.

Adv. Dr. Siddhartha Goswami,
Adv. Soumyadeep Das,
...for the petitioner.

Adv. Sounak Bhattacharya,
Adv. Sounak Mandal,
Adv. Abhirup Halder,
...for the respondent nos. 9 to 11.

Adv. Madhu Jana,
Adv. Puja Sonkar,
...for the State.

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

The petitioners allege that the private respondents are raising unauthorised construction by filling up a 'nayanjuli'. The petitioners submitted an application in this regard under the Right to Information Act, 2005 before the concerned authority but no reply has been received as yet. They also submitted a representation before the concerned authority on 26th February, 2026 and seek consideration of the same.

Learned counsel for the private respondents denies and disputes the allegation raised by the petitioners and submits that the construction in question is an age old construction raised on raiyati land.

Upon consideration of the submission made on behalf of the parties, this Court is of the view that since the petitioners allege filling up of a nayanjuli by the private respondents, the Pradhan, Purb Magrahat Gram

Panchayat, being the 7th respondent herein, is directed to consider and dispose of the representation submitted by them on 22nd February, 2026 within four weeks from the date of communication of this order, upon granting 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/unauthorised, the concerned authority shall take necessary steps in accordance with law.

The writ petition is accordingly disposed of.

There shall however, be no order as to costs.

Since no affidavit is invited, the allegations contained in the 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.)