

15.06.2026
rc/ct.no.15
Item No.66

WPA No. 11376 of 2026
Shyama Prasad Bayen
Versus
The State of West Bengal & Ors.

Mr. Sounak Bhattacharjee
Mr. Sounak Mandal
Ms. Bipasha Bhattacharyya ..for the petitioner

Mr. Mrinal Kanti Ghosh ...for the respondent no.11
Mr. Madhu Jana
Mr. Rajen Dutta
Ms. Pooja Sonkar ...for the State

Learned counsel for the petitioner submits that the private respondents are raising construction adjoining the petitioner's plot without obtaining sanction from the concerned Panchayat and without leaving requisite side space. A civil suit is pending between the parties.

Denying such allegation, learned counsel for the private respondents submits that the private respondents are replacing the earlier asbestos shed of their building by a pucca roof.

Learned counsel for the private respondents is unable to apprise the Court whether sanction has been obtained for such replacement/repair. Be that as it may, since the petitioner alleges unauthorized construction being raised by the private respondents without obtaining sanction from the concerned authority and without leaving requisite side space, the Pradhan, Mathurapur Paschim

Gram Panchayat, being the 7th respondent herein, is directed to consider and dispose of the representation submitted by the petitioner dated April 09, 2026 within four weeks from the date of communication of this order upon granting reasonable opportunity of hearing to all concerned including the petitioner 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 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)