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jdt. 02.07.2026
jb.

WPA 11130 of 2025
(Gunadhar Mondal vs. State of West Bengal & Ors.)

Mr. Soumik Ganguly
.... For the Petitioner
Mr. Madhu Jana
Ms. Puja Sonkar
.... For the State
Mr. Amar Nath Sen
Mr. Shouvik Naskar
... For the Respondent no. 6

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

The Panchayat is not represented despite service.

Learned counsel for the petitioner submits that the private respondent is raising unauthorised construction without obtaining sanction from the concerned Panchayat and in violation of the building rules.

The petitioner submitted a representation in this regard before the concerned authority on 20th January, 2025 and seeks consideration of the same.

Opposing such allegation, learned counsel for the private respondent submits that the alleged construction is more than 52 years old. The private respondent filed a writ petition alleging unauthorised construction raised by the petitioner which was disposed of by this Court directing the Pradhan of the concerned Panchayat to deal with the representation

submitted by the private respondent. As retaliation the present writ petition has been filed.

Learned counsel for the petitioner denies and disputes the allegation raised by the private respondent.

In view of the fact that the petitioner alleges unauthorised construction being raised by the private respondent and also since the representation submitted by the petitioner before the concerned authority is pending, the Pradhan, Chhatna II Gram Panchayat, being the 5th respondent herein, is directed to consider and dispose of the same 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 respondent, 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 respondent 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 be no order as to costs.

Since no affidavit has been invited, allegations contained in the writ petition shall be deemed not to have been admitted.

Urgent certified website copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

(Suvra Ghosh, J.)