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jdt. 15.06.2026
jb.

WPA 11665 of 2026
(Sukumar Aich vs. State of West Bengal & Ors.)

Mr. Biswajit Sau

.... For the Petitioner

Mr. Madhu Jana

Ms. Puja Sonkar

.... For the State

Mr. Nilanjan Chatterjee

.... For the Respondent nos. 6-8

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

The Panchayat is not represented despite service.

Alleging unauthorised construction raised by the private respondents without obtaining sanction from the concerned Panchayat, the petitioner submitted a representation before the concerned authority. Since the representation was not considered, the petitioner approached this Court seeking a direction upon the authority to consider the same. Pursuant to a direction given by this Court to the Panchayat authority for consideration of the representation submitted by the petitioner, the matter was taken up by the Pradhan, Srinarayanpur Purnachandrapur Gram Panchayat, being the 5th respondent herein, for consideration. The Pradhan passed an order on 20th January, 2026 upon hearing both the parties wherein he observed that the construction raised by the private respondents in the disputed land was without sanction from the Panchayat. The said order was forwarded to the Sub-Divisional Officer, Kakdwip, South 24 Parganas for necessary steps. Learned

counsel for the petitioner submits that no consequential step has been taken by the Sub-Divisional Officer pursuant to the said order. The petitioner submitted a representation in this regard before the Sub Divisional Officer, Kakdwip, being the 2nd respondent herein, on 12th May, 2026 and seeks consideration of the same.

Learned counsel for the private respondents denies and disputes the allegation raised by the petitioner and submits that the order of the Pradhan indicates that the construction has been raised in dag no. 1686 which is not owned by the petitioner.

I have considered the rival contention of the parties.

The order passed by the Pradhan on 20th January, 2026 records that a trade registration certificate has been obtained by the 7th respondent in respect of the dag no. 1686 which is not the disputed plot. The order clearly states that the private respondents have raised construction in the disputed plot without obtaining sanction from the concerned Panchayat. The disputed plot, as appears from the writ petition, is L. R. dag no. 983. The order passed by the Pradhan has not been challenged by the private respondents before the appropriate forum. Since it has been decided that the construction raised by the private respondents is not backed by a sanctioned building plan, the 2nd respondent is directed to consider and dispose of the representation submitted by the petitioner dated 12th May, 2026 and take necessary steps in terms of Section 23(5) of the West Bengal Panchayat Act within four weeks from the date of communication of this order.

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.)