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jdt. 16.06.2026
jb.

WPA 11815 of 2026
(Snigdha Biwas (Roy) vs. State of West Bengal & Ors.)

Mr. Sujit Mitra
.... **For the Petitioner**
Mr. Madhu Jana
Ms. Puja Sonkar
.... **For the State**

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

The Panchayat and the private respondents are not represented despite service.

Learned counsel for the petitioner submits that the private respondents are raising illegal/unauthorised construction by encroaching upon plot no. 3205 which is recorded as doba and plot no. 3204 without obtaining sanction from the concerned Panchayat. Pursuant to a complaint lodged by the petitioner in this regard before the Block Land and Land Reforms Officer, Nowda, Murshidabad, the Block Land and Land Reforms Officer issued stop work notice to the 11th respondent on 13th January, 2022. The construction raised by the private respondents was held to be illegal/unauthorised since it was raised without conversion of the land classified as doba. The private respondents were directed to stop the construction and bring back the plot to its earlier position under Section 4 C (5) of the West Bengal Land Reforms Act, 1955. The said order not being complied

with by the private respondents, the petitioner filed a petition under Sections 133 and 144 of the Code of Criminal Procedure against the private respondents and others. By an order passed on 22nd August, 2022 the Executive Magistrate, Berhampore, Murshidabad directed the Block Land and Land Reforms Officer, Nowda to take over possession of the land with the help of the Inspector in charge, Nowda police station after the time granted to the opposite party therein for self demolition was over but within 15 days of the order. The said order travelled to the Court of the Additional Sessions Judge, 3rd Fast Track Court, Berhampore, Murshidabad in a revisional application being Criminal Revision case no. 180 of 2022. By a judgment delivered on 16th March, 2023, the revisional Court dismissed the revisional application and affirmed the order passed by the Executive Magistrate. Learned counsel submits that despite such order the unauthorised construction is yet to be demolished.

Upon consideration of the submission made on behalf of the parties, this Court is of the view that since the construction raised by the private respondent has been held to be unauthorised/illegal, the Sub-Divisional Officer, being the 4th respondent herein, is directed to take necessary steps for demolition of the same under Section 23(5) of the West Bengal Panchayat Act, 1973

within four weeks from the date of communication of this order.

The writ petition is accordingly 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.)