

**WPA 11845 of 2026**

**Umesh Prasad**  
**Vs.**  
**The State of W.B. & Ors.**

Mr. Indranuj Dutta  
Ms. Benazir Sk.  
Mr. Robin Basu                      ...for the petitioner.

Mr. Madhu Jana  
Ms. Puja Sonkar                      ...for the State.

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

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

The petitioner alleges that the private respondent is raising construction on a plot of land classified as “Sali” in the LR Record of Rights without conversion of the same and without obtaining sanction from the concerned Panchayat. The petitioner submitted a representation in this regard before the concerned authority on 7<sup>th</sup> May, 2026, which is yet to be considered. The petitioner seeks consideration of the same.

A civil suit is pending between the parties in respect of the right, title and interest of the parties over the plot. The dispute with regard to the right, title and interest of the parties in respect of the plot in question shall be decided by the civil court.

Since the petitioner alleges unauthorized construction being raised by the private respondent without conversion of the land and without sanction from the concerned Panchayat, the Pradhan, Bandel Gram Pachayat, being the 6<sup>th</sup> respondent herein, is directed to consider and dispose of the representation submitted by the petitioner dated 7<sup>th</sup> May, 2026 within four weeks from the date of communication of this order upon affording 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 unauthorized/illegal, the concerned authority shall take necessary steps in accordance with law.

The writ petition is disposed of accordingly.

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.)**