

WPA 11649 of 2025

Asgar Ali Mallick
Vs.
The State of W. B. & Ors.

Mr. Sanjib Kr. Mukhopadhyay
Ms. Nargish Parveen ...for the petitioner.

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

The respondents are not represented despite service.

The petitioner claims to be the recorded owner of 10 decimals of 'Sali' land by virtue of purchase vide three deeds of conveyance. He applied for conversion of the said land and by a memo dated March 5, 2021 the Block Land and Land Reforms Officer, Jamalpur permitted conversion of 9 decimals out of 10 decimals of the land. The petitioner sought permission from the concerned Gram Panchayat for raising construction within the 9 decimals of land converted into 'bastu'. Such permission was granted by the Pradhan, Berugram Gram Panchayat on 6th May, 2022. In course of such construction, a notice was issued by the concerned Panchayat on 14th December, 2023 directing the petitioner to stop the said construction.

Learned counsel for the petitioner submits that the petitioner has been raising construction within the portion of the land classified as 'bastu' and the allegation of the

Panchayat that the said construction is being raised without sanction from the Panchayat and without abiding by the laws/rules, has no basis whatsoever.

On prayer of the petitioner, liberty is granted to submit a comprehensive representation ventilating his grievance before the Pradhan, Berugram Gram Panchayat, being the 5th respondent herein, within a week from date. The 5th respondent is directed to consider and dispose of the same within six weeks from the date of receipt thereof upon affording 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.

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.)