

WPA 11933 of 2026

Mrinal Kanti Das & anr.
Vs.
The State of West Bengal & ors.

Adv. Ayan Banerjee,
Adv. Suman Chakraborty,
...for the petitioners.
Adv. Kaustav Banerjee,
Adv. Pia Kundu,
...for the respondent no.6.

The petitioners seek to withdraw the writ petition on account of certain defects therein and seek liberty to file a fresh writ petition on the same cause of action.

Learned counsel for the private respondent submits that the private respondent filed an earlier writ petition being WPA 326 of 2015 wherein by a judgment delivered on 2nd August, 2024, a coordinate Bench of this Court directed the Sub Divisional Officer, Chandannagore to initiate appropriate proceeding under Section 23(5) of the West Bengal Panchayat Act, 1973 within a week from the date of communication of the order against the private respondent who are petitioners herein for illegal construction of a four storied residential cum commercial building in plot no. 342 under Mouza Jalaghata. The judgment was carried in appeal by these petitioners and by a judgment delivered on 19th August, 2024, an Hon'ble Division Bench of this Court dismissed the appeal. Learned counsel submits that these facts have been deliberately suppressed by the petitioners in the writ petition.

Since the petitioners seek an opportunity to submit relevant documents in connection with the present writ

petition by withdrawing the present petition and filing a fresh petition on the same cause of action, such liberty is granted.

The writ petition is dismissed as withdrawn.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)