

WPA 12036 of 2026

Mojammel Khan & Ors.
Vs.
The State of W.B. & Ors.

Mr. Soumitra Banerjee
Md. Giasuddin Mulla ...for the petitioners.

Mr. D. N. Ray
Mr. Madhu Jana
Ms. Puja Sonkar ...for the State.

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

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

Learned counsel for the petitioners submits that the private respondents are raising construction by encroaching upon the petitioners' land which is classified as "Sali" in the LR Record of Rights without conversion of the same and without obtaining sanction from the concerned Panchayat. The petitioners submitted several representations in this regard before the concerned authority which are yet to be considered. The petitioners seek consideration of the same.

The allegation of the petitioners with regard to the encroachment of the land by the private respondents shall be dealt with by the appropriate civil forum. The

petitioners are at liberty to approach the said forum for redressal of their grievance.

Since the petitioners allege that the private respondents are raising construction on the land classified as 'Sali' without conversion of the land and without obtaining sanction from the concerned Panchayat, the Pradhan, Chandpur Gram Panchayat, being the 3rd respondent herein, is directed to consider and dispose of the representations submitted by the petitioners within four weeks from the date of communication of this order upon affording reasonable opportunity of hearing to all concerned including the petitioners and the private respondents, 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 respondents 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.)