

WPA 12041 of 2026

Giyasuddin Molla
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 petitioner is taken on record.

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

The petitioner alleges that the private respondents are raising construction on his ancestral property without obtaining sanction from the concerned Panchayat. The petitioner submitted a representation in this regard before the concerned authority on 10th May, 2026 and seeks consideration of the same.

The allegation of the petitioner with regard to the encroachment of his property shall be dealt with by the appropriate civil forum. The petitioner is at liberty to approach the said forum for redressal of his grievance.

With regard to the allegation of the petitioner that the private respondents are raising construction without obtaining sanction from the concerned Panchayat, the

Pradhan, Ramchandrakhali Gram Pachayat, being the 3rd respondent herein, is directed to consider and dispose of the representation submitted by the petitioner on 10th 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 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.)