

June 16, 2026
(38) ARDR

WPA 12316 of 2026

Saukr Ali Mullick
Vs.
The State of West Bengal & ors.

Adv. Rafikul Islam Sardar,
...for the petitioner.
Adv. D.N. Ray, Ld. G.P.,
Adv. Madhu Jana,
Adv. 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.

Learned counsel for the petitioner submits that the petitioner and the private respondents are cosharers in respect of plot in question. The private respondents raised unauthorised construction in the said undivided plot for which the petitioner approached this Court in a writ petition being WPA 11913 of 2024. By an order passed on 20th December, 2024, a coordinate Bench of this Court directed the Pradhan to consider and dispose of the representation submitted by the petitioner in this regard within a stipulated time frame. Learned counsel submits that even after the said order was passed, the private respondents are raising further construction in the plot illegally without obtaining sanction from the concerned Panchayat. The petitioner submitted a representation before the concerned authority in this regard on 18th May, 2026 and seeks consideration of the same.

Since the petitioner alleges unauthorised construction being raised by the private respondents despite an earlier order passed by this Court, the Pradhan, Kotalpur Gram Panchayat, being the 6th respondent herein, is directed to consider and dispose of the representation submitted by the petitioner in this regard on 18th May, 2026 within four weeks from the date of communication of this order upon granting 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 illegal/unauthorised, the concerned authority shall take necessary steps in accordance with law.

The writ petition is accordingly disposed of.

There shall however, be no order as to costs.

Since no affidavit is invited, the allegations contained in the 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.)