

June 30, 2026
(43) ARDR

WPA 12377 of 2026

Ram Kumar Naskar
Vs.
The State of West Bengal & ors.

Adv. Debapriya Majumder,
...for the petitioner.
Adv. Malay Bhattacharyya,
...for the respondent nos. 7 to 9.
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 is not represented despite service.

The petitioner alleges that the private respondents have encroached upon his land and have raised construction therein without obtaining sanction from the concerned Panchayat. The petitioner submitted a representation in this regard before the concerned authority on 29th May, 2026 and seeks consideration of the same.

Opposing such allegation, learned counsel for the private respondent nos. 7, 8 and 9 submits that the private respondents have been using the plot in question for more than forty years and have constructed a shop room therein long ago.

The allegation of encroachment of the petitioner's land 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 alleged unauthorised construction raised by the private respondents, the Pradhan, Gardewani Gram Panchayat, being the 5th respondent herein, is directed to consider and dispose of the representation submitted by the petitioner in this regard dated 29th 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.)