

24.06.2026
rc/ct.no.15
Item No.14

WPA No. 12844 of 2026
Md. Nasim
Versus
The State of West Bengal & Ors.

Mr. Rafikul Islam Sardar ..for the petitioner

Mr. Madhu Jana
Mrs. 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 sold out 12 kathas of Sali land in LR Plot No. 6699 under Mouza – Nibra to the private respondents on July 24, 2024. The private respondents have constructed a pacca 8-10' boundary wall with pillar on the 4' wide common passage of the parties without obtaining sanction from the concerned Panchayat and without conversion of the land. The petitioner submitted a representation in this regard before the concerned authority on March 18, 2026 and seeks consideration of the same.

Upon consideration of the submission made on behalf of the petitioner and the State this Court is inclined to hold that the allegation of the petitioner with regard to the encroachment of the common passage by the private

respondents shall be dealt with by the appropriate forum in accordance with law.

The petitioner is at liberty to approach the said forum for redressal of his grievance.

With regard to his allegation of unauthorized construction of a pacca boundary wall without conversion of the land and without obtaining sanction from the concerned Panchayat, since the representation submitted by the petitioner on March 18, 2026 is pending, the Panchayat, Bankra 2 No. Gram Panchayat, being the 4th respondent herein, is directed to consider and dispose of the same 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 respondent is found to be illegal/unauthorised, the concerned authority shall take necessary steps in accordance with law.

The writ petition is disposed of.

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)