

23.06.2026
rc/ct.no.15
Item No.27

WPA No. 13425 of 2026
Nemai Mandal
Versus
The State of West Bengal & Ors.

Mr. Siddhartha Sarkar
Mr. Sourav Gupta ..for the petitioner

Mr. D.N.Ray, Ld. G.P.
Mr. Madhu Jana
Mrs. Puja Sonkar ...for the State

Ms. Afreen Begum
Mr. Dip Dutta ...for the respondent no.10

Affidavit of service filed by the petitioner and report submitted by the State are taken on record.

The Panchayat is not represented despite service.

The petitioner alleges that the private respondents are raising construction in their land under a Government scheme without leaving requisite side space for which his mud house adjoining the said plot is being damaged.

Earlier, the private respondents were allegedly raising construction under the same scheme on a path partially owned by the Panchayat and partially owned by the petitioner for which the petitioner submitted a representation before the concerned authority on February 27, 2026 and sought consideration of the same. Since the representation was not considered, the petitioner approached this Court in a writ petition being WPA No. 6168 of 2026 and by an order passed on April 06, 2026, this Court directed the Pradhan, Harda Gram Panchayat to

consider and dispose of the representation within a stipulated time frame. The private respondents were restrained from continuing with further construction on the path in question till disposal of the representation. The petitioner submits that during pendency of the representation, further construction is being raised by the private respondents without leaving requisite side space.

It appears from the report submitted by the State that a joint inspection was held by the Revenue Inspector, Binpur-II Block on June 18, 2026 pursuant to a letter received from the Pradhan. On physical verification it was found that the private respondents raised construction under the Government scheme by maintaining side space from the mud wall house of the petitioner.

In view of the fact that the construction is being raised by the private respondents under a Government scheme upon leaving requisite side space, the writ petition is devoid of any merit and is accordingly dismissed.

There shall, however, be no order as to costs.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh,J)