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jdt. 08.05.2026
jb.

WPA 15454 of 2024
(Ajit Mondal vs. State of West Bengal & Ors.)
Mr. Saptarshi Kr. Kundu
.... For the Petitioner
Mr. Goutam Maliki
.... For the Respondent nos. 6 and 7

Affidavit of service filed on behalf of the petitioner is taken on record.

None appears for the Panchayat and the State despite service.

The petitioner alleges that the private respondents are raising construction by encroaching upon a portion of his land without obtaining sanction from the concerned Panchayat. The petitioner submitted a representation in this regard before the concerned authority on 6th May, 2024 and seeks consideration of the same.

Learned counsel for the private respondents denies and disputes the allegation of the petitioner and submits that the construction in question is being raised on the plot belonging to the private respondents.

The issue of alleged encroachment of the petitioner's land by the private respondents 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 unauthorised construction raised by the private respondents without obtaining sanctioned plan, since the representation in this regard is pending before the concerned authority, the Pradhan, Hingnara Gram Panchayat, being the 2nd

respondent herein, is directed to consider and dispose of the same within six 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 unauthorised/illegal, the concerned authority shall take necessary steps, in accordance with law.

It is made clear that the 2nd respondent shall only deal with the issue of alleged unauthorised construction raised without obtaining sanctioned building plan.

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.)