

May 7, 2026
(62) ARDR

WPA 15528 of 2025

Mijanul Islam & anr.
Vs.
The State of West Bengal & ors.

Adv. Golam Mustafa,
Adv. Aktaruzzaman,
Adv. Tarasankar Samanta,
...for the petitioners.

Adv. Shabana Hasin,
Adv. Mobaidur Hossain,
Adv. Samima Akter,
...for the respondent no.6.

Affidavit of service filed by the petitioners is taken on record.

The State and the Panchayat are not represented despite service.

The petitioners allege that the private respondent is raising construction on a pathway without obtaining sanction from the concerned Panchayat. The petitioners submitted a representation before the concerned authority in this regard on 14th May, 2025 through their learned advocate and seek consideration of the same.

Learned counsel for the private respondent submits that it is a fact that some construction has been raised by the private respondent on the plot of land gifted to him by his father. The private respondent has applied for sanction of building plan for the said construction which is pending.

Be that as it may, since the petitioners allege that the private respondent is raising construction in the plot in question without obtaining sanctioned building plan which is in fact admitted by the private respondent, the Pradhan,

no. 6 Faridpur Gram Panchayat, being the 5th respondent herein, is directed to consider and dispose of the representation submitted by the petitioners within six weeks from the date of communication of the order upon granting reasonable opportunity of hearing to all concerned including the petitioners and the private respondent, 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 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.)