

WPA 15725 of 2025

Sirajul Shah
Vs.
The State of W. B. & Ors.

Ms. Pampa Dey Dhabal
Ms. Sangita Banerjee
Ms. Sarbani Dutta ...for the petitioner.

Mr. Rezaul Hossain
Ms. Ujani Pal (Samanta) ...for the State.

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

The Panchayat and the private respondent are not represented despite service.

Heard learned counsels for the parties.

Learned counsel for the petitioner submits that the private respondent is an adjacent plot owner and has been raising construction therein without obtaining sanctioned plan from the concerned Panchayat. The petitioner submitted a representation in this regard before the Panchayat authority on 20th May, 2025 which is yet to be considered. The petitioner seeks consideration of the representation.

Upon consideration of the submission made on behalf of the parties, the Pradhan, Rauthkhanda Gram Panchayat, being the 7th respondent herein, is directed to consider and dispose of the representation submitted by

the petitioner dated 20th May, 2025 within four weeks from the date of communication of this order upon affording reasonable opportunity of hearing to all concerned including the petitioner 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 unauthorized/illegal, 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.)