

07.04.2026
rc/ct.no.15
Item No.29

WPA No. 16403 of 2025
Trilochon Samanta
Versus
The State of West Bengal & Ors.

Mr. Narattam Acharyya
Ms. Pranidhi Singh ..for the petitioner

Mr. Prasanta Kumar Giri
Mr. Murari Chakraborty ..for the State

Mr. Subhas Jana ...for the respondent nos. 8&9

Mr. Arun Shaw
Mr. Noor Islam ...for the respondent no. 12

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

None appears for the Panchayat despite service.

The petitioner and the private respondents are admittedly co-sharers in respect of the property in question. The petitioner alleges that the private respondents have been raising pucca construction in the plot by filling up water body without obtaining sanctioned plan from the Panchayat. The petitioner submitted a representation in this regard before the concerned authority on July 01, 2025 and seeks consideration of the same.

Denying such allegation, learned counsel for the private respondents submits that the private respondents have constructed a kacha godown in a portion of the plot and there is no pucca construction therein.

Such contention is denied by the petitioner.

In view of the fact that the representation submitted by the petitioner before the Panchayat authority is pending, the Pradhan, Saorabera Jalpai-II Gram Panchayat, being the 8th respondent herein, is directed to consider and dispose of the same within six weeks from the date of communication of this order upon giving 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 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.

4(Suvra Ghosh,J)