12.11.2026
rc/ct.no.15
Item No.21

WPA No. 17630 of 2026
Md. Giasuddin Molla
Versus
The State of West Bengal & Ors.

Adv. Shibjit Mitra
Adv. Subhasish Mitra ..for the petitioner

Adv. Indradeep Pal
Adv. Arghya Chatterjee …for the State

Adv. Suman Basu
Adv. Debapriya Ghosh …for the respondent no. 2

Adv. Soujanyo Pattanayak
Adv. Syed Munshid Alam
Adv. Abul Kalam
Adv. Sk. A. Mondal
Adv. Sk. Aktar Hossain
…for the respondent nos. 9 & 10

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

Learned counsel for the petitioner submits that alleging illegal construction raised by the private respondents in Plot no. 26, J.L.No. 56, Mouza- Kalubati Bhagabatipur, the petitioner filed a writ petition being WPA No. 4745 of 2025. By an order passed on January 15, 2026, a coordinate Bench of this Court dismissed the writ petition on the ground that the private respondents produced copy of sanctioned plan as well as conversion certificate in respect of the alleged construction. Subsequently, in reply to an application made by the petitioner under the Right to Information Act, 2005, the Panchayat authority informed that sanction for

construction in 1267.255 sq. ft. of land was granted in favour of the private respondents. The petitioner alleges that the private respondents have raised construction in more than 3000 sq. ft. of land, in excess of the sanction granted in their favour. The allegation of the petitioner is supported by a survey report of a registered government surveyor. The petitioner submitted a representation in this regard before the concerned authority on July 13, 2026 which is yet to be considered. The petitioner seeks consideration of the same.

In view of the allegation of the petitioner that the private respondents have raised construction in excess of the sanction granted in their favour by the concerned Panchayat, the Pradhan, Haripal Sahadev Gram Panchayat, being the 7th respondent herein, is directed to consider and dispose of the representation submitted by the petitioner dated July 13, 2026 within four 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 in excess of the sanction granted in their favour, 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)