

05.2.2026
Ct. no.15
SL.353
Samarpita

WPA 16586 of 2025

**Tapas Shaw
VS
State of West Bengal &Ors.**

Mr. Dinesh Pani
... for the Petitioner

Ms. NilanjanaAdhya, (Through Virtual Mode)
... for the State

The petitioner alleges that unauthorized construction is being carried out at the behest of respondent nos. 9 and 10. The petitioner claims to be a co-owner of Plot No. 525, J.L. No. 146, Mouza–Mandarpur, under Police Station–Ramnagar, District–Purba Medinipur.

It is alleged that respondent nos. 9 and 10, the co-sharers are undertaking unauthorized construction without obtaining any permission from the Panchayat authorities and without effecting any conversion of the land classification from water body to homestead land.

Learned Advocate appearing for the petitioner has drawn the attention of this Court to a communication dated July 4, 2025, to contend that respondent nos. 9

and 10 have not obtained any sanctioned plan from the Panchayat.

Despite service of notice, respondent nos. 9 and 10 remain unrepresented.

From the photograph annexed to the writ petition, it appears that the construction was an initial stage at the time of filing of this writ petition.

In view of the aforesaid, the writ petition is disposed of with the following directions:

(a) The Pradhan shall consider the representation of the petitioner appearing at page 30 of the writ petition within a period of ten days from the date of communication of this order.

(b) If any unauthorized construction is detected at the behest of respondent nos. 9 and 10, as alleged by the petitioner, the Pradhan shall take steps in accordance with Section 23(5) of the West Bengal Panchayat Act, 1973, by making a reference to the concerned Sub-Divisional Officer.

(c) In such event, the Pradhan shall also issue a stop-work notice upon respondent nos. 9 and 10, restraining them from carrying out any further unauthorized construction until a decision is taken by the concerned Sub-Divisional Officer.

(d) The Pradhan shall also inform the Officer-in-Charge of the concerned police station regarding the alleged unauthorized construction, and the Officer-in-Charge shall ensure that no unauthorized construction is undertaken at the relevant premises pursuant to such communication.

Accordingly, **WPA 16586 of 2025** stands disposed of.

Urgent photostat certified copy of this order, if applied for, be supplied to the learned advocates for the parties on usual undertakings.

(Kausik Chanda, J.)