

A-93
11.06.2026
Court No.19
BP

WPA 16844 of 2025

Tapas Maity
-versus-
The State of West Bengal & Ors.

Mr. Abhijit Sarkar
Mr. Raja Biswas
..for the petitioner

Mr. Nilanjan Bhattacharjee, Sr. Standing Counsel
Ms. Jayita Dhar Chakraborty
..for the State

Mr. Suprabhat Bhattacharya
..for the private respondent no.8

Mr. Bhattacharjee, learned senior standing counsel and Mr. Suprabhat Bhattacharya, learned advocate for the respondent no.8 raise an objection as to the maintainability of this writ petition.

Mr. Bhattacharjee, learned senior standing counsel submits that the dispute raised in this writ petition is purely a private dispute with regard to digging of a plot of land of the petitioner by the private respondent.

Faced with such situation, the learned advocate appearing for the petitioner submits that the writ petition was filed at a point of time when the petitioner was under an impression that a private road was sought to be constructed by the private respondent on the property of the petitioner. He submits that after filing of the writ petition the petitioner came know that the road has been

constructed by the panchayat authorities on the property of the petitioner without initiating any proceeding for requisition and acquisition.

However, from the averments made in the writ petition as well as the representation this Court does find such an allegation.

At this stage the learned advocate appearing for the petitioner prays for liberty to submit a fresh representation before the appropriate authority ventilating his grievance against the panchayat authorities with regard to construction of a road on the property of the petitioner without following due process of law.

WPA 16844 of 2025 stands disposed of by granting liberty to the petitioner to submit a comprehensive representation before the appropriate authority ventilating his grievances. If such a representation is submitted, the concerned authority shall consider and dispose of the same in accordance with law as expeditiously as possible.

There shall be however no order as to costs.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Hiranmay Bhattacharyya, J.)