

June 29, 2026
(69) ARDR

WPA 17568 of 2026

Sidheswar Mahapatra
Vs.
The State of West Bengal & ors.

Adv. Lakshminath Bhattacharya,
...for the petitioner.
Adv. Indrani Chakraborty,
Adv. Sanda Sha,
...for the State.

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

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

The petitioner alleges that the private respondents are raising construction in the plot in question without obtaining sanction from the concerned Panchayat. In response to an application filed by the petitioner under the Right to Information Act, 2005, the Pradhan, Purusottampur Gram Panchayat has informed that no permission for construction of pucca temple in the plot in question was taken from the Panchayat. The petitioner submitted a representation in this regard before the concerned authority on 2nd April, 2025 and seeks consideration of the same.

In view of the fact that the Pradhan, Purusottampur Gram Panchayat, being the 4th respondent herein, has confirmed that no permission was taken by the private respondents for construction of a pucca temple in the plot in question, the 4th respondent is directed to consider and

dispose of the representation submitted by the petitioner in this regard on 2nd April, 2025 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 illegal/unauthorised, the concerned authority shall take necessary steps in accordance with law.

The writ petition is accordingly disposed of.

There shall however, be no order as to costs.

Since no affidavit is invited, the allegations contained in the 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.)