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25.11.2026
Ct. No.15
b.das

WPA 19525 of 2026

Sanjoy Dolai & Ors.
Vs.
The State of W.B. & Ors.

Mr. Samiran Mandal
Mr. Agniva Mandal ...for the petitioners.

Mr. Kanailal Samanta
...for respondent nos.6-9, 10 & 12.

Ms. Sneha Dutta
Ms. Renesa Dey ...for the State.

Affidavit of service filed by the petitioners and statement of facts submitted by the State are taken on record.

The Panchayat is not represented despite service.

Learned counsel for the petitioners submits that the private respondents have raised unauthorized construction on a plot of land classified as 'jal' in the LR Record of Rights without conversion of the same and without obtaining any sanction from the concerned Panchayat. The petitioners submitted a representation in this regard before the concerned authority on 5th February, 2026 which is yet to be considered. The petitioners seek consideration of the same.

Denying such allegation, learned counsel for the private respondents submits that no construction has been raised by respondent nos.6, 7, 8 and 9. However, respondent nos.10 and 12 have raised construction

without obtaining sanctioned building plan though the said construction is not raised in the petitioners' land.

It appears from the report submitted by the State that no permission has been issued by the concerned Gram Panchayat for raising the alleged construction.

Admittedly, respondent nos.10 and 12 have raised construction without obtaining sanction from the concerned Panchayat. There is also nothing on record to suggest that the said land has been converted to 'bastu' from 'jal'. The Panchayat has confirmed that no permission has been granted for raising such construction.

Since the representation submitted by the petitioners is pending, the Pradhan, Dakshin Narikelda Gram Panchayat, being the 4th respondent herein, is directed to consider and dispose of the same within four weeks from the date of communication of this order upon granting reasonable opportunity of hearing to all concerned including the petitioners and the private respondents, in accordance with law.

The decision taken by the authority shall be communicated to the parties within a week thereof.

Necessary consequential steps be taken by the said authority in terms of Section 23(5) of the West Bengal Panchayat Act, 1973.

The writ petition is disposed of accordingly.

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.)