

WPA 18740 of 2025

Amar Kumar Hazra & Ors.
Vs.
The State of W.B. & Ors.

Mr. Lalratan Mondal
Mr. Dilip Kumar Sadhu ...for the petitioners.

Mr. Santimay Bhattacharyya
Mr. Ziaul Haque
Ms. Aloka Bhattacharyya ..for respondent no.4.

Mr. Madhu Jana
Ms. Puja Sonkar ...for the State.

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

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

Learned counsel for the petitioners submits that the private respondent was granted sanctioned building plan for construction of a 3-storeed building. However, she has constructed the 4th floor of the building in deviation of the said plan.

The petitioners submitted a representation in this regard before the concerned authority on 14th July, 2025 which is yet to be considered. The petitioners seek consideration of the same.

Learned counsel for the Zilla Parishad submits that Sabhadhipati of the concerned Zilla Parishad be directed to consider the representation in this regard.

In view of the above, the 4th respondent is directed to consider and dispose of the representation submitted by the petitioners dated 14th July, 2025 within six weeks from the date of communication of this order upon affording reasonable opportunity of hearing to all concerned including the petitioners and the private respondent, 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 respondent is found to be illegal/unauthorized, the concerned authority shall take necessary steps in accordance with law.

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.)