5
jdt. **12.11.2026**
jb.

WPA 20664 of 2026
(Paschim Mayapur Sadharan Kabarstan Committee & Ors. vs. State of West Bengal & Ors.)

Mr. Arunava Banerjee
Sk. Qareeb
.... For the Petitioners
Mr. Sundar Gopal Bhattacharyya
Mr. Abhishek Kabir
.... For the State

Affidavit of service filed on behalf of the petitioners and the report submitted by the State are taken on record.

The private respondents are not represented despite service.

Learned counsel for the petitioners submits that the petitioners are members of Paschim Mayapur Sadharan Kabarsthan Committee, Mayapur and are owners of 17 decimals of Sali land situated in R. S. dag no. 612, L.R. Dag no. 724 in L.R. Khatian no. 5835. A resolution was taken by the petitioners in a meeting held on 22nd May, 2022 to grant consent in favour of the PHE Department for a water project in 6 decimals of land in L.R. dag no. 724. However, no deed was executed pursuant to the said resolution. A deed of gift was executed in favour of the Government of West Bengal by Paschim Mayapur Sadharan Kabarsthan Committee in respect of a portion of L.R. dag no. 603.
The petitioners complain that an unauthorised construction is being raised in L.R. dag no. 724 without obtaining consent

from the committee despite the fact that the resolution taken on 22nd May, 2022 was not given effect to. The petitioners seek demolition of the said unauthorised construction. They submitted a representation in this regard before the concerned authority on 10th July, 2026 which is yet to be considered. The petitioners also seek consideration of the same.

Learned counsel for the State submits that pursuant to the deed of gift executed by the Committee, the construction is being carried on in plot no. 603. No construction is being made in plot no. 724.

The contention of the parties needs to be verified by the concerned authority.

Since the representation submitted by the petitioners is pending, the Additional District Magistrate, (L.R.), being the 5th respondent herein, is directed to consider and dispose of the same upon granting reasonable opportunity of hearing to all concerned including the petitioners and the private respondents, in accordance with law.

The 5th respondent shall take necessary steps to hold a joint spot enquiry in respect of plot no. 724 in presence of the parties/their authorised representatives in order to ascertain whether any construction is being raised therein by the State.

In the event such construction is found to have been raised in the said plot, necessary steps be taken by the concerned authority in accordance with law.

The entire exercise shall be completed within 8 weeks from the date of communication of this order.

The writ petition is disposed of.

There shall be no order as to costs.

Since no affidavit has been invited, allegations contained in the writ petition shall be deemed not to have been admitted.

Urgent certified website copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

(Suvra Ghosh, J.)