

Sl. No.ML693
08.01.2026
Suman
Ct. 15

WPA 19940 of 2024

Nursima Bibi
Vs.
The State of West Bengal and Ors.

Mr. Prosenjit Mukherjee
Ms. Babita Pramanik
..for the petitioner

Mr. Amal Kumar Banerjee
..for private respondent no.11.

Mr. Malay Singh
Ms. Neelam Singh
..for the State

This writ petition has been filed alleging unauthorised construction by respondent no. 11. The writ petitioner, inter alia, contends that respondent no. 11 has constructed a building without obtaining any sanctioned plan from the Panchayat authority.

Learned counsel appearing for the petitioner submits that the relevant land, which is classified as agricultural land, has not been converted to “Bastu”.

It appears, however, that the private respondent does possess a sanctioned plan granted by the Panchayat authority. The petitioner now seeks to contend that the said sanctioned plan was not granted in accordance with law, inasmuch as the Panchayat authority lacked the jurisdiction to grant such

sanction without prior conversion of the classification of the land.

These facts, however, have not been pleaded in the writ petition.

In view of the above, I am not inclined to entertain the present writ petition.

Accordingly, the writ petition is disposed of, granting liberty to the petitioner to challenge the sanctioned plan, if he is aggrieved by the same, in accordance with law.

WPA 19940 of 2024 is accordingly disposed of.

Urgent photostat certified copy of this order, if applied for, be supplied to the learned advocates for the parties on usual undertakings.

(Kausik Chanda, J.)