

25.06.2026
rc/ct.no.15
Item No.51

WPA No. 20185 of 2025
Sk. Shahajahan
Versus
The State of West Bengal & Ors.

Sk. Rejaul Alam ..for the petitioner

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

Mr. Rofikul Islam ..for the respondent no. 10

The petitioner alleges that the private respondent is raising construction without obtaining sanction from the concerned Panchayat. On prayer of the petitioner liberty is granted to submit a comprehensive representation before the Pradhan, Nandigram -4 Gram Panchayat, being the 9th respondent herein, ventilating his grievance within 10 days from date.

Learned counsel for the private respondent submits that the construction raised by the petitioner is also unauthorized/illegal for which a writ petition was filed by the private respondent against the petitioner wherein a report was submitted by the concerned authority indicating that the construction raised by the petitioner was illegal. The said report was challenged by the petitioner before an Hon'ble Division Bench of this Court who refused to interfere with the action taken by the Gram Panchayat and directed the Panchayat to pass a reasoned order upon hearing both the parties. Learned counsel

submits that the private respondent applied for sanction of his building plan before the Pradhan which not being considered, a writ petition has been filed. No construction is being raised by the private respondent at present.

Upon consideration of the submission made on behalf of the parties this Court is of the view that since the petitioner alleges unauthorized construction being raised by the private respondent and seeks to submit a representation in this regard within 10 days from date, such liberty is granted.

The 9th respondent is directed to consider and dispose of the representation within four weeks from the date of receipt thereof 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 allegedly 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 disposed of.

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)