

May 19, 2026
(8) ARDR

WPA 20607 of 2025

Sk. Rahamatullah
Vs.
The State of West Bengal & ors.

Adv. Mukteswar Maity
Adv. Manika Sarkar,

...for the petitioner.

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

The State and the Panchayat are not represented despite service.

The petitioner and the private respondents are cosharers in respect of the plot in question. The petitioner alleges that the private respondents have raised construction in a portion of the joint undemarcated property without obtaining sanction from the concerned Panchayat. The petitioner submitted a representation in this regard before the concerned authority on 19th August, 2025 and seeks consideration of the same.

Denying such allegation, learned counsel for the private respondents submits that no construction has been raised by the private respondents in the joint property in dag no.289 as alleged.

In view of the fact that the representation submitted by the petitioner alleging unauthorised construction raised by the private respondents is pending, the Pradhan, Bhagabatipur Gram Panchayat, being the 6th respondent herein, is directed to consider and dispose of the same within six weeks from the date of communication of this

order 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 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 accordingly disposed of.

There shall however, be no order as to costs.

Since no affidavit is invited, the allegations contained in the 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.)