

June 17, 2026
(47) ARDR

WPA 21214 of 2025

Sk. Masud Ali
Vs.
The State of West Bengal & ors.

Adv. Kaustav Banerjee,
Adv. Ria Kundu,

...for the petitioner.

Adv. Madhu Jana,
Adv. Puja Sonkar,

...for the State.

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

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

The petitioner claims to be the co-owner of the plot in question and alleges that the private respondents have raised construction by encroaching upon the said plot. Though they claim that the construction has been raised in terms of sanctioned building plan granted in their favour, such sanction could not have been granted since the plot in question belongs to the petitioner and others. The petitioner submitted a representation in this regard before the concerned authority on 28th July, 2025 and seeks consideration of the same.

Allegation of the petitioner with regard to encroachment of his land by the private respondents shall be dealt with by the appropriate civil forum. The petitioner is at liberty to approach the said forum for redressal of his grievance.

Since the petitioner alleges that the construction raised by the private respondents is without sanction from

the concerned Panchayat, the Pradhan, Parambua Sahabazar Gram Panchayat, being the 7th respondent herein, is directed to consider and dispose of the representation submitted by the petitioner dated 28th July, 2025 within four 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.)