

05.05.2026
rc/ct.no.15
Item No.69

WPA No. 21687 of 2024
Bholanath Saren & Ors.
Versus
The State of West Bengal & Ors.

Mr. Tanmay Basu
Mr. Manoj Adak
Md. Aasif Iqbal
Mr. Sayan Banerjee ..for the petitioners

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

The respondents are not represented despite service.

The petitioners allege that the private respondents are raising unauthorized construction in the plot in question without obtaining sanctioned plan from the Panchayat. The petitioners submitted a representation in this regard before the concerned authority on July 16, 2024 which is yet to be considered. The petitioners seek consideration of the same.

In view of the above, the Pradhan, Bhastara Gram Panchayat, being the 6th respondent herein, is directed to consider and dispose of the representation submitted by the petitioners dated July 16, 2024 within six weeks from the date of communication of this order upon giving reasonable opportunity of hearing to all concerned including the petitioners 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.

It is made clear that the dispute with regard to the right, title and interest in respect of the plot in question shall be dealt with by the appropriate civil forum.

The 6th respondent shall only deal with the issue of unauthorized construction allegedly raised without obtaining sanctioned plan.

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)