

WPA 23336 of 2025
(Bimal Kumar Samanta vs. State of West Bengal & Ors.)

Mr. Sunny Nandy
Mr. Anand Jha
Yamini Tiwari
Mr. Manmohan Singh Roop Roy
.... For the Petitioner

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

Respondent are not represented despite service.

The petitioner alleges that the private respondent has raised unauthorised construction without obtaining sanction from the concerned Panchayat and without conversion of the land which is recorded as 'Jala'. The petitioner submitted a representation in this regard before the Pradhan, Bhagwanpur, Purba Medinipur Gram Panchayat which was not considered. He approached this Court in a writ petition being WPA 24180 of 2023 for a direction upon the concerned Panchayat for consideration of the representation. Such direction was given by a co-ordinate Bench of this Court by an order passed on 5th March, 2024. Learned counsel for the petitioner submits that the plot in question is under Amarshi II Gram Panchayat and not Bhagwanpur Gram Panchayat. A fresh representation was submitted on 25th July, 2025 before the Pradhan, Amarshi II Gram Panchayat, being the 2nd respondent

herein, which has not been considered. The petitioner seeks consideration of the same.

In view of the above, the 2nd respondent is directed to consider and dispose of the representation submitted by the petitioner dated 25th July, 2025 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 respondent, 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 respondent 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 be no order as to costs.

Since no affidavit has been invited, allegations contained in the writ petition shall be deemed not to have been admitted.

Urgent certified website copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

(Suvra Ghosh, J.)