

WPA 22796 of 2025

Dilip Kumar Roy
Vs.
The State of W. B. & Ors.

Mr. Debjit Mukherjee
Mr. Kaustav Bhattacharya
Ms. Priyanka Jana
Ms. Shruti Agarwal ...for the petitioner.

Mr. Jayanta Samanta
Ms. Indumouli Banerjee ...for the State.

Mr. Sayan Sachin Basu
Mr. Suman Bose ...for respondent nos.6 to 8.

None appears for the Panchayat despite service.

Learned counsel for the petitioner submits that the private respondents who are his adjoining neighbours have raised construction without conversion of the land which is classified as 'Bagan' and without obtaining sanctioned plan from the concerned Panchayat.

In response to the applications made by the petitioner under the Right to Information Act, he was informed that the private respondents have raised construction without any approved building plan from the Panchayat. The petitioner submitted a representation in this regard before the concerned authority on 8th February, 2025, which is yet to be considered. The petitioner seeks consideration of the same.

Denying such allegation, learned counsel for the private respondents submits that the construction in question has been raised before about 30 years upon obtaining sanctioned plan from the Panchayat.

However, since the representation submitted by the petitioner before the concerned authority is pending, the Pradhan, Rajarhat Bishnupur-II Gram Panchayat, being the 4th respondent herein, is directed to consider and dispose of the same within six weeks from the date of communication of this order upon affording reasonable opportunity of hearing to all concerned including the petitioner and the private respondents, in accordance with law.

On prayer of the petitioner, liberty is granted to submit a supplementary representation before the authority ventilating his grievance, if required.

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/unauthorized, the concerned authority shall take necessary steps in accordance with law.

The writ petition is disposed of accordingly.

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.)