

05.01.2026.
Court No.13
Item No. 9
ap

M.A.T No. 1646 of 2025
With
I.A. No. CAN 1 of 2025

Netai Chandra Jana
Versus
The State of West Bengal & Ors.

Mr. Dilip Kumar Sinha.

...For the appellant.

1. Despite service of notice, the respondents are not represented. Affidavit-of-service filed in Court today be taken on record.
2. The appellant/writ petitioner is aggrieved by an order dated 11th September, 2025 passed by a learned Single Judge of this Court in W.P.A. 11902 of 2025 where the learned Single Judge had called for affidavits, despite the fact that the private respondent was not in the Court below.
3. It appears that pursuant to an application under Section 6 of the Right to Information Act, 2005 filed by the appellant on 16th April, 2025, the Prodhan of Garhkamalpur Gram Panchayat replied that no permission has been granted by the Gram Panchayat to the private respondent, namely. Gopal Samaddar to effect construction of pucca house at Plot No. 791 (Garhkhai) 836/1488, J.L. No. 112, Mouza – Garkamalpur, Police Station – Mahishadal, Purba Medinipur.
4. The petitioner thereafter requested the Prodhan of Garhkamalpur Gram Panchayat to take steps under

the West Bengal Panchayat Act, 1973 for demolition of the unauthorized premises.

5. This Court is of the view that the instant appeal itself may be disposed of by directing the Prodhan of Garhkamalpur Gram Panchayat and the Sub-Divisional Officer concerned to consider and dispose of the representation that may be made by the petitioner within seven days from date in accordance with law, preferably within a period of four weeks thereafter. The procedure prescribed under Section 23 of the West Bengal Panchayat Act, 1973 may be followed by the Sub-Divisional Officer and the Prodhan of Garhkamalpur Gram Panchayat in this regard.

6. In view of the above order, W.P.A. 11902 of 2025 shall stand disposed of.

7. In view of disposal of the appeal itself, the connected application being CAN 1 of 2025 shall also stand disposed of.

8. There will be no order as to costs.

9. All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)

(Ajay Kumar Gupta, J.)