

July 3, 2026
(21) ARDR

WPA 24063 of 2026

Sk. Kutubuddin & ors.

Vs.

The State of West Bengal & ors.

Adv. Omar Faquk Gazi,
Adv. Shaoni Panda,

...for the petitioners.

Adv. Madhu Jana,
Adv. Rahul Agarwala,

...for the State.

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

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

The petitioners allege that the private respondent is raising construction on the plot of land recorded as 'shali' in the L.R. record of rights without conversion of the same and also without obtaining sanction from the concerned Panchayat. The petitioners submitted a representation in this regard before the concerned authority on 12th September, 2025 which is yet to be considered. The petitioners seek consideration of the same.

In view of the allegation raised by the petitioners, the Pradhan, Nischintapur Gram Panchayat, being the 4th respondent herein, is directed to consider and dispose of the representation submitted by the petitioners dated 12th September, 2025 within four weeks from the date of communication of this order upon granting reasonable opportunity of hearing to all concerned including the petitioners 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 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.)