

20.05.2026
rc/ct.no.15
Item No.30

WPA No. 23489 of 2025
Saroj Kumar Sardar
Versus
The State of West Bengal & Ors.

Mr. Lakshminath Bhattacharya ..for the petitioner

Ms. Sutapa Mandal ...for the respondent no.12

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

None appears for the State and the Panchayat despite service.

Alleging unauthorized construction raised by the private respondent in the plot in question the petitioner submitted a representation before the Pradhan, Lakhikantapur Gram Panchayat on May 14, 2024.

As the representation was not considered, the petitioner approached this Court in a writ petition being WPA No. 17003 of 2024. By an order passed on February 17, 2025 a coordinate Bench of this Court directed the Pradhan to consider and dispose of the representation within a stipulated time frame adopting certain procedure. Pursuant thereto, the Pradhan conducted spot enquiry, heard the parties and arrived at a conclusion that the construction raised by the private respondent was without permission of the Pradhan. The said order was sent to the Sub-Divisional Officer, Diamond Harbour Sub-Division by

the Pradhan by a letter issued on June 24, 2025 for necessary action.

Learned counsel for the petitioner submits that the Sub-Divisional Officer, Diamond Harbour Sub-Division is sitting over the communication and has not taken any steps till date. The petitioner seeks a direction upon the Sub-Divisional Officer, Diamond Harbour Sub-Division to take necessary steps in terms of the communication made by the Pradhan.

The private respondent is represented.

In view of the fact that the construction raised by the private respondent has been held to be unauthorized by the Pradhan and the said order does not appear to have been assailed before the appropriate forum, the Sub-Divisional Officer, Diamond Harbour Sub-Division, being the 5th respondent herein, is directed to take necessary steps in terms of the said order within four weeks from the date of communication of this order, in accordance with law.

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)