

March 20, 2026
(19) ARDR

WPA 23645 of 2025

Swarup Kumar Maity & anr.
Vs.
The State of West Bengal & ors.

Adv. Biswarup Nandy,
Adv. Dhiswani Nag,

...for the petitioners.

Affidavits of service filed by the petitioners are taken on record.

None appears for the Panchayat or the private respondents despite service.

Learned counsel for the petitioners submits that the private respondents have been raising unauthorised construction without obtaining any sanctioned plan/permission from the concerned Panchayat. In reply to an application filed by the petitioners under Section 6(1) of the Right to Information Act, 2005, the Pradhan, Ajabnagar-I Gram Panchayat, by a letter issued on 18th September, 2025, has informed that the private respondents have not taken any permission/sanctioned plan from the said Panchayat for the alleged construction. The petitioners submitted a representation before the concerned authority on 19th September, 2025 which is yet to be considered. The petitioners seek consideration of the representation and demolition of the unauthorised construction.

Upon consideration of the submission made on behalf of the petitioners, the Pradhan, Ajabnagar-I Gram

Panchayat, being the 4th respondent herein, is directed to consider and dispose of the representation submitted by the petitioners dated 19th September, 2025 within four weeks from the date of communication of this order upon affording reasonable opportunity of hearing to all concerned including the petitioners and the private respondents, 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 respondents 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.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)