

07.04.2026
rc/ct.no.15
Item No.30

WPA No. 24622 of 2025
Mintu Ghosh
Versus
The State of West Bengal & Ors.

Mr. Atis Kumar Biswas
Mr. Amit Singh
Mrs. Jyoti Agarwal ..for the petitioner

Mr. Moniruzzaman
Mr. Gourav Banerjee ..for the State

Mr. Mukteswar Maity
Ms. Manika Sarkar ...for the respondent no. 10

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

None appears for the Panchayat despite service.

Learned counsel for the petitioner submits that the private respondent is raising construction adjoining his property without any sanctioned plan and in violation of building rules. The cantilever in the 1st and 2nd floor of the construction has encroached upon the property of the petitioner. The petitioner has submitted a representation in this regard before the concerned authority on September 15, 2025 and seeks consideration of the same.

Denying such allegation, learned counsel for the private respondent submits that the construction raised by the private respondent is an old one and upon obtaining sanctioned plan from the concerned authority.

Be that as it may, since the representation submitted by the petitioner is pending, the Pradhan, Natna Gram Panchayat, being the 9th respondent herein, is directed to consider and dispose of the same within six weeks from the date of communication of this order upon giving reasonable opportunity of hearing to all concerned including the petitioner and the private respondent, in accordance with law.

The parties shall be at liberty to produce relevant documents in support of their respective contention before the authority at the time of hearing.

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 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)