

08.04.2026
rc/ct.no.15
Item No.48

WPA No. 24593 of 2025
Rafikul Islam Sardar
Versus
The State of West Bengal & Ors.

Mr. Shamayem Farih
Mr. Bishal Basak ..for the petitioner

Ms. Srilekha Bhattacharyya ...for the State

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

None appears for the Panchayat and private respondents despite service.

The petitioner alleges that the private respondent who is a land broker has raised pucca pillars and boundary wall in the property of the petitioner which is classified as Shali and is raising construction therein without obtaining any sanctioned plan. The petitioner submitted a representation before the concerned authority in this regard on May 20, 2025 which is yet to be considered. The petitioner seeks consideration of the same.

It appears that alleging police inaction the petitioner filed a writ petition before this Court wherein by an order passed on September 25, 2025, a coordinate Bench of this Court directed the police authority to ensure that there was no violation of law and order and peace and tranquility were maintained.

Since the representation submitted by the petitioner alleging unauthorized construction by the private respondents is pending, the Block Development Officer, Domjur, being the 4th 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 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)