

31.03.2026
rc/ct.no.15
Item No.48

WPA No. 25625 of 2024
Md. Sulaiman Laskar
Versus
The State of West Bengal & Ors.

Mr. Ziaul Islam
Ms. Muskaan Chowdhury ..for the petitioner

Mr. Pinaki Dhole
Ms. Indrani Nandi ..for the State

Mr. Abhinaba Chatterjee
...for the respondent nos. 6-8

Alleging unauthorized construction raised by the private respondents the petitioner submitted a representation before the concerned authority which was not considered. He approached this Court in a writ petition being WPA No. 6885 of 2023. By an order passed on March 30, 2023 a coordinate Bench of this Court directed the Usthi Gram Panchayat to dispose of the representation submitted by the petitioner with regard to the alleged unauthorized construction upon conducting an inspection in presence of the parties. The concerned authority was directed to take the proceedings to its logical conclusion in terms of Section 23(5) of 1973 (in short, "the Act of 1973"). Pursuant to the said order, inspection was held in presence of the parties and it was found that the construction raised by the private respondents was not supported by any document. However, no consequential step under Section 23(5) of

the Act of 1973 was taken by the authority. The petitioner seeks compliance of the order passed by this Court in the light of the inspection report dated May 10, 2024.

Upon consideration of the submission made on behalf of the parties, this Court is of the view that since the earlier order of this Court directs steps to be taken under Section 23(5) of the Act of 1973 the Pradhan, Usthi Gram Panchayat, being the 3rd respondent herein, is directed to consider and dispose of the representation submitted by the petitioner dated September 02, 2024 and take necessary steps in terms of the earlier order of this Court as well as the inspection report dated May 10, 2024 within six weeks from the date of communication of this order.

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)