

20.01.2026  
Sl No.14  
Ct. No.15  
S.A.

**WPA 27197 of 2025**

**Abdul Aziz Khan & Anr.**

**-vs-**

**State of West Bengal & Ors.**

Mr. Ambu Bindu Chakraborty  
Ms. Mrinmoyee Roy Chowdhury  
Mr. Sakir Hossain

...for the petitioners

Mr. Supratim Dhar  
Mr. Prabir Kumar Roy

...for the State

The petitioners allege unauthorised construction at the behest of respondent no. 6. It is contended that the Pradhan of Pandua Gram Panchayat, respondent no. 3, had repeatedly directed respondent no. 6 to demolish the unauthorised construction. However, respondent no. 6, without complying with such directions, has continued with the unauthorised construction.

This Court is of the view that under Section 23(5) of the West Bengal Panchayat Act, 1973, upon detection of an unauthorised construction, the Pradhan is empowered to refer the matter to the concerned Sub-Divisional Officer for initiation of demolition proceedings.

Accordingly, this writ petition is disposed of with a direction upon the Pradhan, Pandua Gram Panchayat, to refer the alleged unauthorised construction to the Sub-Divisional Officer, Chinsurah,

respondent no. 2, under Section 23(5) of the West Bengal Panchayat Act, 1973, within a period of forty-eight hours from the date of communication of this order.

Upon receipt of such reference, the Sub-Divisional Officer, Chinsurah, shall initiate proceedings under Section 23(5) of the West Bengal Panchayat Act, 1973 and conclude the same within a period of one month from the date of reference by the Panchayat, in accordance with law.

Accordingly, **WPA 27197 of 2025** is disposed of.

Urgent photostat certified copy of this order, if applied for, be supplied to the learned advocates for the parties on usual undertakings.

**(Kausik Chanda, J.)**