

22 20-01-2026
AKG
Ct. 15

WPA 27317 of 2025
Chhabi Basu
Vs.
The State of West Bengal & Ors.

Mr. Aditya Mondal

...for the Petitioner

Mr. Ram Chandra Guchhait

...for the State

It is the grievance of the petitioner that, although he made an application for construction of a boundary wall encircling his residential building, the Panchayat has not acted upon the same, despite having accepted the application. It is contended that no objection can be raised by the Panchayat in this regard, as there is no provision requiring sanction for the construction of a boundary wall.

The construction of a boundary wall per se does not require any permission.

This position has already been clarified by this Court in its judgment dated November 12, 2025, rendered in WPA 15155 of 2025 (*Suman Das v. The State of West Bengal and Ors.*). The relevant portion of the said judgment is reproduced below:

“In my view, a boundary wall requires prior permission from the Panchayat Authority only when the following conditions are cumulatively satisfied:

(a) the wall is made of brick or cement; and
(b) the enclosed area is not kept as vacant land; and

(c) the enclosed area is used or is likely to be used—

(i) as a stack yard; or

(ii) for any commercial purpose; or

(iii) for any institutional purpose.

It is abundantly clear that where a boundary wall merely encloses a residential building or agricultural land, no sanctioned plan is required. Although such a wall may satisfy Condition (a) and (b), Condition (c) fails to apply, as the land is not used as a stack yard or for commercial or institutional purposes.”

Accordingly, **WPA 27317 of 2025** stands disposed of.

Urgent certified *website* copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Kausik Chanda, J.)