

WPA 28203 of 2025

Purna Chandra Sheet
Vs.
The State of W. B. & Ors.

Mr. Manoranjan Jana
Ms. Rekha Das ...for the petitioner.

Mr. Malay Kr. Singh
Ms. Kalpita Paul ...for the State.

Mr. Samiran Giri ...for the respondent no.7.

Heard learned counsels for the parties.

Learned counsel for the petitioner submits that the private respondent who is a co sharer in respect of the property in question has raised construction therein without obtaining any sanctioned plan.

The petitioner submitted a representation on 8th October, 2024 before the concerned authority for taking necessary steps in this regard and demolishing the unauthorized construction which is yet to be considered.

Learned counsel for the private respondent submits that such construction has been raised by the private respondent before about 20 years with consent of the other co sharers. It is not in dispute that no sanctioned plan was obtained for the said construction. A partition suit between the parties in respect of the property in question is pending wherein an injunction order has been granted by the learned Trial Court.

The petitioner denies grant of such consent.

Upon consideration of the submission made on behalf of the parties, this Court is inclined to hold that since the representation submitted by the petitioner on 8th October, 2024 is yet to be considered by the authority, the Pradhan, Balisai Gram Panchayat, being the 5th respondent herein, is directed to consider and dispose of the representation within two weeks from the date of communication of this order upon affording 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.

The writ petition is disposed of.

However, there shall 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.)