

05.02.2026
Sl. No. 18
g.b.
Court No.15

W.P.A. 28445 of 2025

Moslem Sekh
Vs-
The State of West Bengal & Ors.

Mr. Sayan Banerjee
Ms. Suparna Dutta
.....For the Petitioner
Mr. Swapan Kr. Dutta
Mr. Rajat Datta
Ms. Ratna Das
....For the State

The petitioner alleges that unauthorized construction is being carried out at the behest of respondent nos. 5 to 7. Learned Advocate appearing for the petitioner, placing reliance upon the record of rights appearing at page 21 of the writ petition, submits that a portion of the land in question is classified as Pukur (water body). It is alleged that respondent nos. 5 to 7 are undertaking construction without obtaining any permission from the Panchayat authorities and without effecting any conversion of the land use classification.

Learned Advocate appearing for the petitioner has drawn the attention of this Court to a representation dated October 31, 2025, to

contend that, despite such representation having been made, no steps have been taken by the Pradhan of Khagramuri Gram Panchayat, respondent no. 3.

The photographs annexed to the writ petition prima facie suggest that the construction is midway.

In view of the aforesaid, the writ petition is disposed of with the following directions:

(i) The Pradhan of Khagramuri Gram Panchayat, respondent no. 3, shall consider the representation of the petitioner and, if it is found that any unauthorized construction is being undertaken at the relevant premises, shall take steps in accordance with Section 23(5) of the West Bengal Panchayat Act, 1973, within a period of seven days from the date of communication of this order.

(ii) In such event, the Pradhan shall simultaneously issue a stop-work notice upon respondent nos. 5 to 7 until a decision is taken by the Sub-Divisional Officer.

(iii) The Pradhan shall intimate the Officer-in-Charge, Bishnupur Police Station, regarding the alleged unauthorized construction, and the Officer-in-Charge, Bishnupur Police Station, shall ensure that no further unauthorized construction is undertaken at the relevant premises.

Accordingly, **WPA 28445 of 2025** stands disposed of.

(Kausik Chanda, J.)