

17.02.2026
Ct. No. 15
Sl. No.4
skg

W.P.A. 28965 of 2025

Rabi Dolui
Vs.
The State of West Bengal & Ors.

Mr. Swapan Kr. Pal,
Ms. Srijani Mukherjee,
Mr. Soham Pal,

....for the Petitioner

Mr. Sadhan Kr. Halder,
Ms. Chandana Ghosh,

....for the State

Mr. Rabindranath Mahato,
Mr. Aritra Shankar Roy,

...for the respondent no.12

It is the allegation of the petitioner that respondent no. 12 is undertaking unauthorized construction on the plot of land bearing Dag No. 461, J.L. No. 279, Khatian No. 795, Mouza Kalagram, District Paschim Medinipur. The petitioner claims ownership of the said land. It is submitted before this Court that respondent no. 12 is forcefully carrying out construction on the said land without obtaining any permission from the Panchayat Authority.

Learned advocate appearing for respondent no. 12, however, denies the allegations. It is further submitted that one Amit Mana, the cousin of respondent no. 12, is undertaking the relevant

construction on the said plot of land. It is submitted that the building is being constructed under the Banglar Bari Awas Yojona.

The petitioner, however, denies the contention of respondent no. 12. It is submitted by the petitioner that Amit Mana made construction on Plot No. 574 under the same Mouza under the Banglar Bari Awas Yojona. It is further submitted that the construction on Plot No. 461 has been raised by respondent no. 12 and that no money has been received by him under the Banglar Bari Awas Yojona for the said construction.

In view of the aforesaid disputed facts, this Court directs the Pradhan, Kalagram Gram Panchayat, respondent no. 11, to consider the representation of the petitioner dated November 25, 2025, appearing at page 42 of the writ petition, within a period of ten days from the date of communication of this order.

If the Pradhan does not find any substance in the allegations made in the representation, no further steps shall be required to be taken.

If any unauthorized construction is detected at the behest of respondent no. 12, as alleged by the petitioner, the Pradhan shall take steps in accordance

with Section 23(5) of the West Bengal Panchayat Act, 1973, by making a reference to the concerned Sub-Divisional Officer.

In such event, the Pradhan shall also issue a stop-work notice to respondent no. 12, restraining them from carrying out any further unauthorized construction until a decision is taken by the concerned Sub-Divisional Officer under Section 23(5) of the West Bengal Panchayat Act, 1973.

The Pradhan shall also inform the Officer-in-Charge of the concerned police station regarding the alleged unauthorized construction, and the Officer-in-Charge shall ensure that no unauthorized construction is undertaken at the relevant premises pursuant to such communication.

Accordingly, **W.P.A. 28965 of 2025** is disposed of.

There shall be no order as to costs.

Urgent Photostat copy of this order, if applied for, be supplied to the parties on an urgent basis.

(Kausik Chanda, J.)