

Learned counsel for the petitioners submits that the predecessor in interest of the petitioners was the patta holder in respect of the plot in question. After his demise, the petitioners have stepped into his shoes. The private respondents are raising construction in the said plot without obtaining any sanctioned plan from the concerned Panchayat.

Opposing such application learned counsel for the private respondents submits that the construction raised by the private respondents is temporary in nature. The patta issued in favour of the predecessor in interest of the petitioners has been challenged by the private respondents under Section 49(2) of the West Bengal Land Reforms Act. The matter is pending.

Upon consideration of the submission made on behalf of the parties, this Court is of the view that since the petition for annulment of the patta is still pending, the petitioners are prima facie patta holders in respect of the plot in question till the said petition is decided by the appropriate authority.

The petitioners allege that the construction made by the private respondents in the property is unauthorized/without sanction from the concerned Panchayat. Since the representation submitted by the petitioners in this regard before the concerned authority on November 18, 2025 is still pending, the Pradhan, Gobra Gram Panchayat, being the 7th respondent herein, is

directed to consider and dispose of the representation submitted by the petitioners on November 18, 2025 within six weeks from the date of communication of this order upon granting reasonable opportunity of hearing to all concerned including the petitioners and the private respondents, in accordance with law.

It is made clear that this Court has not gone into the merits of the case and the concerned authority shall decide the representation independently, in accordance with law, without being influenced by any observation which may have been made in this order.

The writ petition is disposed of.

There shall, however, 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)