

16.02.2026
Item No.38.
Ct. No.15
Suman

WPA 272 of 2026

Mrinal Kanti Singha
-Vs-
The State of West Bengal and Ors.

Mr. Dhananjoy Banerjee
Ms. Khushi Mollick
..for the petitioner

Mr. Yashraj Roy
Mr. Rudranil Pramanik
..for the Private Respondent

Ms. Munmun Tewary
Mr. I. Belal
..for the State

Let the report filed by the State be kept on record.

Learned counsel appearing for the petitioner alleges that private respondent nos. 7 to 11 have undertaken unauthorized construction. It is submitted that a civil suit is pending between the parties in which an order of injunction was initially granted. According to the petitioner, the Panchayat, in violation of the said injunction order, sanctioned a building plan in favour of private respondent nos. 7 to 11.

By reference to page 30 of the writ petition, it is further contended that a Division Bench of this Court, in Appeal No. FMA 1722 of 2025, by order dated December 15, 2025, restrained private

respondent nos. 7 to 11 from changing the nature and character of the property in question.

It appears, however, that the original order of injunction passed in the civil suit was subsequently vacated. The appeal preferred by the petitioner remains pending and has not yet been finally adjudicated.

In view of the pendency of the civil proceedings and the appeal, this Court is not inclined to examine whether the sanctioned plan was granted in violation of any subsisting injunction order. The issue concerning the propriety and effect of the injunction is yet to attain finality before the competent appellate forum.

In the aforesaid circumstances, this Court is of the view that the writ petition is premature. Accordingly, no interference is warranted for cancellation of the sanctioned plan on the allegation that it was granted in violation of an injunction order passed by the Civil Court.

WPA 272 of 2026 is, therefore, dismissed.

This order shall not preclude the petitioner from seeking appropriate relief before the competent Court in accordance with law.

Urgent photostat certified copy of this order, if applied for, be supplied to the learned advocates for the parties on usual undertakings.

(Kausik Chanda, J.)