

June 29, 2026
(59) ARDR

WPA 30673 of 2024

Balaram Maiti
Vs.
The State of West Bengal & ors.

Adv. Anjan Banerjee,

...for the petitioner.

Adv. Madhu Jana,
Adv. Puja Sonkar,

...for the State.

Alleging unauthorised construction raised by the private respondents upon the petitioner's drain, an objection/representation was filed by the petitioner before the concerned authority. Since the representation was not considered, the petitioner approached this Court in a writ petition being WPA 13014 of 2023. By an order passed on 5th February, 2024, a coordinate Bench of his Court directed the Pradhan, Shyampur I Gram Panchayat to consider and dispose of the representation in accordance with law after giving an opportunity of hearing to all the necessary parties including the petitioner within a stipulated time frame. In compliance with the said order, the Pradhan, Shyampur Gram Panchayat took up the issue for consideration and by an order passed on 17th July, 2024 held that the private respondents made illegal construction upon the petitioner's drain completely disrupting the water drainage system of the petitioner's bastu land including ponds. The private respondents were directed to demolish the said construction on or before 24th July, 2024 failing which the authority took it upon

itself to effect demolition and recover the cost from the private respondents as a public demand.

Learned counsel for the petitioner submits that the said order has neither been assailed, nor implemented till date.

This Court is informed that the unauthorised construction has not been removed/demolished by the private respondents despite the order passed by the Pradhan, Shyampur Gram Panchayat. In view of the fact that the said order has been passed pursuant to a direction by this Court, the Sub Divisional Officer, Uluberia, being the 3rd respondent herein, is directed to implement the order within four weeks from the date of communication of 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 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.)