

March 17, 2026
(11) ARDR

WPA 30410 of 2024

Sk. Golam Murshed
Vs.
The State of West Bengal & ors.

Adv. Subhas Jana,
Adv. Mohua Palit

...for the petitioner.

Adv. Tapan Kumar Mukherjee,
Adv. Sangeeta Roy,

...for the State.

Heard learned counsels for the parties represented.

The petitioner has alleged unauthorised construction being raised by the private respondent. The petitioner approached this Court in WPA 25347 of 2022 and by an order passed on 3rd January, 2023, a coordinate Bench of this directed Panskura No.I Gram Panchayat to treat the writ petition as a representation of the petitioner and dispose of the same in accordance with law following the procedure laid down by the Court. The said order was not complied with by the Panchayat for which a contempt application was filed. Pursuant to the same, the order has been complied with. It was held by the Panchayat that construction raised by the private respondent was unauthorised. The private respondent was directed to demolish the said unauthorised construction. The said respondent failed to comply with the said direction for which the Pradhan by a letter issued on 3rd October, 2024, requested the Sub Divisional Officer, Tamluk to take necessary steps for compliance with the order.

Learned counsel for the petitioner submits that the matter is still pending before the Sub Divisional Officer. The petitioner seeks compliance of the same.

Upon consideration of the submission made on behalf of the parties, this Court is inclined to hold that since it has been held by the Panchayat that the construction raised by the private respondent is unauthorised and also since the private respondent has not removed/demolished the same in terms of the direction of the Panchayat, the Sub Divisional Officer, Tamluk, being the 5th respondent herein, is directed to take necessary steps for demolition of the said unauthorised construction within two weeks from the date of communication of this order, in accordance with law.

The writ petition is accordingly 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.)