14.10.2026
rc/ct.no.15
Item No.36

WPA No. 17474 of 2026
Haran Chandra Naskar
Versus
The State of West Bengal & Ors.

Mr. Sukdeb Sarkar ..for the petitioner

Mr. Sundar Gopal Bhattacharyya ...for the State

Mr. Abhijit Singh
Mr. Sarthak Mondal
Mr. Shaidur Rahman ..for the respondent no. 8

Affidavit of service filed by the petitioner is taken on record.

The Panchayat is not represented despite service.

The petitioner claims to be the owner of the adjoining plot of the private respondent and alleges that the private respondent is raising unauthorized construction therein without obtaining sanction from the concerned Panchayat. In response to an application filed by the petitioner under the Right to Information Act, 2005 the Executive Assistant, South Garia 1 No. Gram Panchayat has informed that no sanction has been granted to the private respondent for raising construction in the plot in question. The petitioner submitted a representation in this regard before the concerned authority on November 24, 2025 which is yet to be considered. The petitioner seeks consideration of the same.

Denying such allegation, learned counsel for the private respondent submits that no unauthorized construction is being raised by the private respondent in the plot in question.

The contention of the parties needs to be verified by the appropriate authority. Since the representation submitted by the petitioner in this regard is pending, the Pradhan, South Garia 1 No. Gram Panchayat, being the 4th respondent herein, is directed to consider and dispose of the same within six weeks from the date of communication of this order upon granting reasonable opportunity of hearing to all concerned including the petitioner and the private respondent, in accordance with law.

The decision taken by the authority shall be communicated to the parties within a week thereof.

In the event the construction raised by the private respondent is found to be illegal/unauthorised, the concerned authority shall take necessary steps in accordance with law.

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)