

April 22, 2026
(27 & 28) ARDR

WPA 18631 of 2025

Gopal Sana
Vs.
The State of West Bengal & ors.

With

WPA 2448 of 2026

Suman Sana & ors.
Vs.
The State of West Bengal & ors.

Adv. Debajyoti Burman,
Adv. Nirmalendu Bera,
Adv. Tanima Nandy,
...for the petitioner in WPA 18631 of 2025.

Adv. Debjit Mukherjee,
Adv. Kaustav Bhattacharya,
...for the respondent no.4 in WPA 18631 of 2025
and respondent no.5 in WPA 2448 of 2026.

Adv. Debashis Banerjee,
Adv. Kartik Kumar Ray,
Adv. Rakesh Jana,
Adv. Apurba Kolya,
...for the private respondent in WPA 18631/25.

Adv. Suddhadeb Adak,
Adv. Tanusri Chanda,
...for the State in WPA 18631 of 2025.

Adv. Debashis Banerjee,
Adv. Kartik Kumar Ray,
Adv. Rakesh Jana,
Adv. Apurba Kolya,
...for the petitioners in WPA 2448 of 2026.

Adv. Amit Gupta,
Adv. Arun Kr. Saha,
...for the State in WPA 2448 of 2026.

In WPA 18631 of 2025 (hereinafter referred to as the first writ petition), the petitioner seeks implementation of the decision taken by the Pradhan to the effect that the

construction raised by the private respondent is illegal/unauthorised.

In WPA 2448 of 2026 (hereinafter referred to as the second writ petition), the petitioners have assailed the order passed by the Pradhan on 8th September, 2025.

Learned counsel for the petitioners in the second writ petition submits that since the plinth area of the structure constructed by them is not more than 150 square meters and the height is not more than 6.5 meters, no sanction/permission is required from the Gram Panchayat in terms of Section 23(1) of the West Bengal Gram Panchayat Act, 1973.

It appears from the order impugned that the Pradhan has not ascertained the plinth area and height of the construction in question before arriving at a conclusion that the same was unauthorised/illegal.

The Pradhan, Thanamakua Gram Panchayat is directed to submit a report on the adjourned date upon causing such measurement upon service of notice upon both the parties and in their presence.

Let these matters appear under the same heading on 18th May, 2026.

(Suvra Ghosh, J.)