

March 25, 2026
(16) ARDR

WPA 4495 of 2026

Sk. Salauddin @ Sk Salauddin Ali
Vs.
The State of West Bengal & ors.

Adv. Sk. Rajaul Alam,
Adv. Subodh Ranajan Ray,

...for the petitioner.

Adv. Samiran Mandal,
Adv. Abhinaba Dan,

...for the private respondent.

Adv. Sabir Ahmed,
Adv. Dhiman Banerjee,
Adv. Dilwar Azad,

...for the respondent no.7.

Adv. Tanmoy Kumar Ghosh,
Adv. Abu Siddiqui Mallick,

...for the State.

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

Learned counsel for the petitioner submits that the private respondents are raising unauthorised construction on a plot which is recorded as jal without seeking conversion of the same and also without obtaining sanctioned plan from the concerned Panchayat. The petitioner submitted a representation before the concerned authority on 6th January, 2026 which is yet to be considered. The petitioner seeks consideration of the same.

Denying such allegation, learned counsel for the private respondents submits that the plot in question has been recorded as bastu.

Upon consideration of the submission made on behalf of the parties, this Court directs the Pradhan,

Tilkhoja Gram Panchayat, being the 7th respondent herein, to consider and dispose of the representation submitted by the petitioner dated 6th January, 2026 within six weeks from the date of communication of this order upon affording reasonable opportunity of hearing to all concerned including the petitioner and the private respondents, in accordance with law.

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

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

It is made clear that this Court has not gone into the merits of the case. The concerned authority shall be at liberty to consider the representation independently in accordance with law without being influenced by any observation which may have been made in this order.

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.)