

09.04.2026  
rc/ct.no.15  
Item No.32

**WPA No. 8245 of 2026**  
**Nitai Chandra Ghosh & Ors.**  
**Versus**  
**The State of West Bengal & Ors.**

Mr. Ashok Kumar Jha ..for the petitioners

Mr. Debjit Mukherjee  
Ms. Priyanka Jana ..for the State

Mr. Bipin Ghosh ...for the respondent no.9

Affidavit of service filed by the petitioners and instruction submitted by the State are taken on record.

None appears for the Panchayat despite service.

The petitioners claim to be the recorded owners of the plot in question and allege that a road has been constructed under the Pathasree scheme by encroaching upon a portion of their land without compliance of Section 44 of the West Bengal Panchayat Act, 1973.

Learned counsel for the State submits, on instructions, that the construction is being made by the Malda Zilla Parishad who is the implementing authority of the scheme.

On prayer of the petitioners, liberty is granted to implead the Secretary, Malda Zilla Parishad as respondent no. 9 in the writ petition.

The petitioner is directed to serve copy of the application along with annexure thereto upon the added

respondent and file affidavit of service on the adjourned date.

Let this matter appear under the same heading on April 21, 2026.

**(Suvra Ghosh,J)**