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jdt. 05.05.2026
jb.

WPA 9410 of 2026
(SKG Business Park LLP & Anr. vs. State of West Bengal & Ors.)

Mr. Moinak Bose
Mr. Pawan Kr. Gupta
Mr. Rishabh Karnani
Sofia Nesar

.... For the Petitioners

Mr. Saugata Mitra
Ms. Soma Chakraborty
.... For the State

Affidavit of service and supplementary affidavit filed by the petitioners are taken on record.

The Panchayat and the private respondents are not represented despite service.

Learned counsel for the petitioners submits that the petitioners who are developers entered into a development agreement with the respondent nos. 6 and 7 along with three others who are joint owners of the property. The petitioners have constructed a 6 storied building in the portion of the plot allotted to them. The petitioners allege that the 6th and 7th respondents have raised construction by encroaching upon the common passage adjoining the construction raised by the petitioners and have started alienating the same in favour of the third parties. The petitioners seek to submit a comprehensive representation with regard to the unauthorised construction raised by the private respondents without obtaining sanction from the concerned authority before the Sub-Divisional Officer, Howrah Sadar, being the 13th respondent herein, and seek a direction upon the said respondent to consider the same.

In view of the allegation made by the petitioners with regard to unauthorised construction raised by the private respondents without obtaining sanction from the concerned authority, liberty is granted to the petitioners to submit a comprehensive representation in this regard before the 13th respondent within 7 days from date. The 13th respondent is directed to consider and dispose of the same within six weeks from the date of receipt thereof upon granting reasonable opportunity of hearing to all concerned including the petitioners and the private respondents 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 respondents is found to be unauthorised/illegal, the concerned authority shall take necessary steps in accordance with law.

No further construction shall be carried on in the plot in question till disposal of the representation.

The writ petition is accordingly disposed of.

There shall be no order as to costs.

Since no affidavit has been invited, allegations contained in the writ petition shall be deemed not to have been admitted.

Urgent certified website copy of the order, if applied for, be given to the parties on compliance of requisite formalities

(Suvra Ghosh, J.)