

18.07.2025
Sl. No.45(DL)
Ct. No.42
srm

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE**

W.P.A. No. 10316 of 2025

Padmarani Bera

Versus

The State of West Bengal & Ors.

Mr. Kazi Ardan Ali,
Ms. Masum Tarafdar

...for the Petitioner.

Mr. Asish Kumar Guha,
Mr. Rajendra Chaturvedi

...for the State.

Mr. Santimay Bhattacharya,
Mr. Ziaul Haque

...for the Respondent No.6.

Mr. Sujit Bhunia

...for the Respondent No.10.

Affidavit-of-service filed on behalf of the
petitioner is taken on record.

This writ petition is filed seeking direction upon
the respondent authorities to restrain the private
respondent from raising unauthorised construction on
the common passage situated on the eastern side of
the petitioner's plot being LR Plot No.290, J.L. No.448,
LR Khatian No.657, Mouza Baragarh, Police Station
Debra, District-Paschim Medinipur.

Learned Advocate for the petitioner submits that
the private respondent No.10 has raised unauthorised
construction over the land which is recorded as '*path*'
under Dag No.55, Mouza Baragarh which is

obstructing the ingress and egress to the plot of the petitioner. He seek that specific direction be issued upon the respondents particularly the respondent No.7, Pradhan, Debra-I Gram Panchayat for taking appropriate steps for removal of such unauthorised construction undertaken by the respondent No.10.

On the contrary, learned Advocate representing the respondent No.10 submits that the work of construction has been undertaken by his client on the basis of fund sanctioned under the *Bangla Awas Yojana*. The elder brother of the petitioner, namely Srikanta Dalui, who is a *patta* holder in Dag No.55, Khatian No.1007 has granted 'no objection' to the petitioner for making such construction. Therefore, there is no illegality in the work of construction undertaken by the private respondent No.10. He informs the Court that presently no such work of construction is being undertaken. He seeks to file affidavit-in-opposition to the writ petition annexing all relevant documents.

Learned Advocate for the State-respondents submits that already the respondent No.4, the Block Land & Land Reforms Officer, Debra Block has passed order to stop such illegal construction and restore the land in its original character within seven days.

The private respondent No.10 is directed to file affidavit-in-opposition to the writ petition within a period of two weeks. Advance copy be served upon the

learned Advocate for the petitioner. Reply, if any, be filed within a week thereafter.

List this matter on **11th August, 2025** under the heading "**Returnable Motion**".

(Bivas Pattanayak, J.)