

WPA 15754 of 2026

Anup Som
Vs.
The State of W.B. & Ors.

Mr. Jyoti Prakash Chatterjee...for the petitioner.

Ms. Sneha Sanyal ..for the private respondent.

Mr. Madhu Jana
Mr. Vinayak Chaubey ...for the State.

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

The Panchayat is not represented despite service.

The petitioner claims to be the recorded owner of the plot in question and alleges that taking advantage of his absence therefrom, the private respondent has raised construction in the said plot classified as 'Suna' without conversion of the same and without obtaining any sanction from the concerned Panchayat.

The petitioner submitted representations before the concerned authority in this regard on 19th May, 2026 and 25th June, 2026 which are yet to be considered. The petitioner seeks consideration of the same.

Opposing such allegation, learned counsel for the private respondent submits that the private respondent is raising construction in accordance with the sanctioned building plan granted in his favour.

The allegation of the petitioner with regard to the encroachment of his land shall be dealt with by the appropriate civil forum. The petitioner is at liberty to approach the said forum for redressal of his grievance.

Insofar as the allegation of unauthorized construction raised by the private respondent is concerned, the contention of the parties needs to be verified by the appropriate authority. The Pradhan, Nadanghat Gram Panchayat, being the 7th respondent herein, is directed to consider and dispose of the representations submitted by the petitioner dated 19th May, 2026 and 25th June, 2026 respectively, within four weeks from the date of communication of this order upon granting reasonable opportunity of hearing to all concerned including the petitioner and the private respondent 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 respondent is found to be illegal/unauthorized, the concerned authority shall take necessary steps in accordance with law.

The writ petition is disposed of accordingly.

There shall, however, be no order as to costs.

Since no affidavit is invited, the allegations contained in the writ 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.)