

13.07.2026
rc/ct.no.15
Item No.17

WPA No. 16387 of 2026
Agasti Charan Ghosh
Versus
The State of West Bengal & Ors.

Mr. Tarun Kumar Das
Mr. Sujit Bhunia ..for the petitioner

Mr. D.N.Ray, Ld. G.P.
Mr. Madhu Jana
Mr. Rahul Agarwala ...for the State

Mr. Kaushik Dey
Mr. Sutirtha Das for the Respondent No.8

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

In a writ petition being WPA No. 12711 of 2023, a coordinate Bench of this Court found that the petitioner herein effected construction of a house on his land which was agricultural in nature. The construction was without sanction from the Gram Panchayat. The decision of the Sub-Divisional Officer, Jhargram dated February 20, 2023 was not interfered with by the learned Single Judge. The said order was carried in appeal by the petitioner before an Hon'ble Division of this Court and by an order passed on June 09, 2025 in FMA No. 135 of 2024, the Hon'ble Division Bench observed that the order impugned before the said Bench did not call for interference. The order travelled to the Hon'ble Supreme Court and Special Leave Petition was dismissed. The Block Development Officer,

Nayagram Development Block, directed the petitioner to vacate his house within July 13, 2026 failing which demolition would be done on July 14, 2026 from 12.00 noon onwards. The petitioner seeks stay of the said order.

In view of the fact that this Court as well as the Hon'ble Division Bench has held that the construction raised by the petitioner is illegal/ unauthorized and subsequently raised without conversion of the land and without obtaining sanction from the concerned Panchayat and also since the prayer of the petitioner has not been entertained by the Hon'ble Supreme Court, this Court has no authority to stay the letter issued by the Block Development Officer, Nayagram Development Block on July 07, 2026.

The writ petition is devoid of any merit and is accordingly dismissed.

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

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh,J)