

WPA 17055 of 2026

Mofizul Islam Khan & Anr.
Vs.
The State of W. B. & Ors.

Mr. Faisur Rahman Molla
Mr. Satrajit Singha Roy
Ms. Sahana Aktar
Mr. A. Ganguly ...for the petitioners.

Ms. Aishwariya Rajyashree
Ms. Puja Sonkar ...for the State.

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

The petitioner has assailed the order passed by the Sub-Divisional Officer, Uluberia, Howrah on 9th July, 2026 on the ground that the order wrongly records that the construction raised by the petitioner is unauthorized/illegal.

The plinth of the construction is 185 sq. metres and height of the construction is 6.5 metres. In such a case, the Gram Panchayat should have referred the matter for vetting by the Panchayat Samity in terms of Rule 27(1A) of The West Bengal Panchayat (Gram Panchayat Administration) Rules, 2004. Without doing so, sanction for construction was granted by the Panchayat, which has been held to be invalid/illegal by the Sub-Divisional Officer.

The State is directed to submit a report on the adjourned date responding to the contention of the petitioner in the writ petition.

Let the matter appear under the same heading on 31st July, 2026.

The order impugned dated 9th July, 2026 passed by the Sub-Divisional Officer, Uluberia, Howrah be stayed till the adjourned date.

All parties shall act on the server copy of the order duly downloaded from the official website of this Court.

(Suvra Ghosh, J.)