

25  
jdt. 10.04.2026  
jb.

**WPA 18789 of 2025  
(Rabiul Sk. vs. State of West Bengal & Ors.)**

**Mr. Sarbananda Sanyal  
Ms. Poulami Chakraborty  
Hamidur Rahaman  
.... For the Petitioner**

**Mr. Mrinal Kanti Ghosh  
Ms. Bipasha Bhattacharyya  
.... For the Private Respondents**

Supplementary affidavit filed by the petitioner is taken on record.

The State is not represented.

Learned counsel for the petitioner submits that that the private respondents who are co-sharers in respect of the plot in question have raised unauthorised construction therein without obtaining sanction from the concerned Panchayat. The petitioner submitted a representation in this regard before the concerned authority in this regard on 28<sup>th</sup> April, 2025 and seeks consideration of the same.

Denying such allegation learned counsel for the private respondents submits that the private respondents have raised construction in L.R. plot no. 4008 under the Pradhan Mantri Awas Yojana scheme for which no sanction is required. They have not raised any construction in L. R. plot no. 4031.

In view of the above, this Court is inclined to hold that the issue with regard to whether construction has

been raised without sanctioned building plan or whether it has been raised under the Pradhan Mantri Awas Yojana scheme by the private respondents need to be decided by the concerned authority.

Since the representation submitted by the petitioner is pending, the Block Development Officer, Raninagar II Block, being the 5<sup>th</sup> respondent herein, is directed to consider and dispose of the same within six weeks from the date of communication of this order upon granting reasonable opportunity of hearing to all concerned including the petitioner and the private respondents, in accordance with law.

The decision taken by the authority shall be communicated to the parties within a week thereof.

The writ petition is 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.)**