

March 23, 2026  
(11) ARDR

**WPA 20373 of 2025**

Hafizul Mondal @ Hapijul Mondal  
Vs.  
The State of West Bengal & ors.

Adv. Atish Biswas,  
Adv. Suman Chakraboprtty,

...for the petitioner.

Adv. Sandipan Maity,

...for the private respondents.

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

None appears for the State and the Panchayat despite service.

Learned counsel for the petitioner submits that the father of the 9<sup>th</sup> respondent was a bargadar under the petitioner in respect of the land in question. After demise of the said bargadar, the private respondents have not continued with the cultivation of the land. Instead, they have raised construction therein without any sanctioned plan or without converting the nature of the land. The petitioner submitted a representation before the concerned authority on 23<sup>rd</sup> September, 2025 which is yet to be considered. The petitioner has also filed a suit seeking injunction against the private respondents restraining them from changing the nature and character of the property and using cultivable land of any other purpose. The suit is pending.

Learned counsel for the private respondents submits that the private respondents have raised construction in the land in question under the Pradhan Mantri Awas Yojana Scheme for which no sanction is required from the Panchayat. Learned counsel seeks to use affidavit in opposition annexing relevant documents.

Affidavit in opposition be filed within two weeks from date. Affidavit in reply, if any, be filed within a week thereafter.

Let the matter go out of list for the time being.

Liberty to mention after completion of affidavits.

**(Suvra Ghosh, J.)**