

23.03.2026  
rc/ct.no.15  
Item No.07

**WPA No. 28012 of 2024**  
**Abdur Rahim Gazi**  
**Versus**  
**The State of West Bengal & Ors.**

Mr. Gazi Faruque Hossain  
Mr. Ziaul Haque  
Mr. Himadri Kumar Mahata ..for the petitioner

Mr. Santanu Kumar Mitra  
Mr. Subhabrata Das ...for the State

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

None appears for the Panchayat despite service.

Learned counsel for the petitioner submits that the Hasnabad Panchayat Samity, being the 20<sup>th</sup> respondent herein, has raised construction by encroaching upon the property of the petitioner in violation of Section 44 of the West Bengal Panchayat Act, 1973. The petitioner seeks to submit a comprehensive representation in this regard before the Block Development Officer, Haznabad Block, being the 7<sup>th</sup> respondent herein. Such liberty is granted.

The petitioner shall submit a comprehensive representation before the 7<sup>th</sup> respondent ventilating his grievance within 7 days from date. The 7<sup>th</sup> respondent is directed to consider and dispose of the representation within four weeks from the date of receipt thereof upon

affording reasonable opportunity of hearing to all concerned including the petitioner, 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 20<sup>th</sup> respondent is found to be in contravention of Section 44 of the West Bengal Panchayat Act, 1973, necessary steps be taken by the concerned authority, in accordance with law.

The writ petition is disposed of.

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)**