

18.06.2025
Sl. No.9
tkm

**IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI**

W. P. A. 1215 of 2025

[Arati Bala Devi @ Arati Roy represented through her attorney Dipak Roy. -Vs- State of West Bengal & Ors.]

Mr. Sudipta Panda
Mr. A Barman
Mr. S Bhowmik

... .. for the petitioner

Mr. Hirak Barman
Mr. Bikash Singha

... for the State

Mr. Sandip Guha Roy
Mr. Ananda Paul

... for OP nos. 4-7

1. Affidavit of service is taken on record.
2. The petitioner is aggrieved by the inaction on the part of the respondent authorities in not taking any steps to stop unauthorized construction allegedly being carried out by the private respondents on the piece of land situated at mouza-Bhangamore, P.S Mthabhanga, Cooch Behar.
3. It is the case of the petitioner that she is the absolute owner of the land in question. The private respondents are allegedly carrying out unauthorized construction on the said land without obtaining any consent from the petitioner. The petitioner had complained to the respondent authorities by way of several reorientations, however, no action has been taken till date.

4. Learned counsel for the petitioner submits that this is an agricultural land and no construction can be raised at the said land.
5. Despite service, there is no appearance on behalf of the respondent no. 2-Pradhan.
6. Learned counsel for the private respondents submits that there is an ongoing civil dispute between the parties and that proceedings are currently pending before the Sub-Divisional Magistrate, Mathabhanga.
7. This Court directs respondent no. 2 the Pradhan to decide petitioner's representation dated 29.5.2025 within a period of six weeks from the date of communication of this order after affording an opportunity of hearing to the petitioner as well as the private respondents or any other stake-holder by way of speaking order.
8. With the above direction, the present writ petition is disposed of.
9. This Court makes it clear that it has not expressed any opinion on the merits of the dispute between the parties, except on the limited issue of unauthorized construction.

(Gaurang Kanth, J.)