

15.07.2026
Item No.26
Ct. No. 19
RP

WPA/14831/2026
ABDUL HAKIM
VS
STATE OF WEST BENGAL AND ORS.

Mr. Sarbananda Sanyal
Mr. Hamidur Rahaman
Mr. Saikat Gayen

...For Petitioner

Mr. Nilanjan Bhattacharjee, Sr. SC
Ms. Jayita Dhar Chakraborty
Mr. Nilanjan Pal
Mr. Avimunyu Roy Choudhury

...For State

1. Affidavit-of-service as filed on behalf of the petitioner is taken on record.
2. The writ petitioner and the respondent State are represented by their respective counsel.
3. At the time of hearing the learned advocate appearing on behalf of the writ petitioner has filed supplementary affidavit, which is taken on record.
4. It is submitted that it is the grievance of the writ petitioner that the land of the writ petitioner, the particulars of which has been mentioned in paragraph 3 of the instant writ petition, has been utilized by the respondent State for the purpose of border fencing without

initiating a valid process of acquisition though from the materials as placed before this Court it would reveal that the writ petitioner is the owner of the said property. To substantiate his contention the learned advocate appearing on behalf of the writ petitioner places his reliance upon the judgment and decree as passed by the learned Civil Judge, Junior Division, Additional Court, Lalbagh, district-Murshidabad in Title Suit No.213 of 2005.

5. It is, thus, submitted on behalf of the writ petitioner that the respondent authorities, more specifically the respondent no.2 authority, may be directed to consider the representation dated 07.07.2026 though it has been addressed to the respondent nos.4 and 5 authority.
6. Mr. Pal, learned advocate appearing on behalf of the respondent/State submits

before this Court that the respondent no.2 authority may be directed to consider the representation dated 07.07.2026 in accordance with law.

7. In view of such, this Court while disposing the instant writ petition permits the instant writ petitioner to submit a fresh representation with the respondent no.2 authority ventilating his grievance as has been highlighted in the instant writ petition positively within fifteen (15) working days from the date of passing of the order. It is further ordered that in event such fresh representation is submitted before the respondent no.2 authority by the present writ petitioner, the respondent no.2 authority after giving due opportunity of hearing to the writ petitioner and/or his authorized representative shall pass a reasoned order in accordance with law and shall

forthwith communicate the same to the writ petitioner.

8. The entire exercise as indicated in the foregoing paragraph has to be completed by the respondent no.2 authority positively within ninety (90) working days from the date of submission of the representation afresh by the writ petitioner alongwith a server copy of today's order.

9. The respondent no.2 is further directed to act on the server copy of this order.

10. With the aforementioned observations the instant writ petition is disposed of.

11. Urgent Photostat certified copy of this order, if applied for, be delivered to the learned advocates for the parties, upon compliance of all formalities.

(PARTHA SARATHI SEN, J.)