

35,DL,Ct.24.
16.10.2020
AJ.

W.P.A. 7472 of 2020

C.A.N. 1 of 2020

(Through Video Conference)

Sumana Maity

-Vs-

The State of West Bengal & Ors.

Mr. Kaustav Chandra Das,
Sk. Sahajahan Ali,
....for the petitioner.

The petitioner is challenging the notice of the sectional Sectional Officer of the Uttarbarh irrigation Division, Purba Medinipur the respondent no. 8 herein whereby the petitioner has been requested to vacate the land of the irrigation department over which he has put up unauthorized construction.

Mr. Kaustav Chandra Das learned advocate appearing on behalf of the petitioner strenuously argued that his client being settled in position cannot be evicted without due process of law.

Mr. Das suggests that such due process of law is the course of eviction contemplated under the provisions of the West Bengal Public Land (Eviction of Unauthorised Occupants) Act, 1962.

The impugned notice has been issued requesting the petitioner to vacate the land in question in default legal action has been proposed to be taken against the petitioner.

The contention of Mr. Das, therefore, is devoid of any merit as the respondent authorities are proposing legal action to be taken to vacate the land in question.

That being the position I find no merit in the writ petition.

W.P.A 7472 of 2020 is, therefore, dismissed.

The connected application being CAN 1 of 2020 is disposed of accordingly.

There is no order for costs.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Biswajit Basu, J.)