

16.03.2021
(S/L-19)
Ct.-18
(P. Jana)

(Via Video Conference)

W.P.A. 4352 of 2021

Asmat Molla @ Asmat Ali Molla & ors.
-Vs-
The State of West Bengal & Ors.

Mr. Mrinal Kanti Ghosh,
..... For the Petitioners.

Mr. Chandi Charan De, Addl. G.P.
Ms. Reshmi Rahaman,
..... For the State.

Affidavit of service filed in Court today be
kept with the record.

The petitioners complain that the
respondent nos. 9, 10 and 11 are occupying the
Govt. land at Plot No. 1119 under Mouza :
Herobhanga, P.S. : Canning, District : 24
Parganas (South) unauthorizedly.

The grievance of the petitioners is that they
requested the State respondents to remove the
said respondent nos. 9, 10 and 11 from the said
land but no action has been taken by the said
respondents till date.

It appears that the petitioners by a letter
dated January 24, 2020 requested the District
Magistrate, 24 Parganas (South) and other

authorities to remove the unauthorized occupants from the said Govt. land.

Mr. Chandi Charan De, learned Additional Govt. Pleader appearing on behalf of the State respondents, submits that the District Magistrate, 24 Parganas (South), the respondent no. 2 herein, is the concerned authority to consider the representation of the petitioners. Section 3 of the West Bengal Public Land (Eviction of Unauthorised Occupants) Act, 1962 obliges the respondent no. 2 to initiate appropriate proceedings for eviction of the unauthorized occupants from the public land.

WPA 4352 of 2021 is disposed of by directing the respondent no. 2 to consider and dispose of the representation of the petitioners dated January 24, 2021 appearing at page 14 of the writ petition being Annexure P-2 by a reasoned order in terms of Section 3 of the aforesaid Act of 1962 within a period of twelve weeks from the date of communication of this order.

No order as to costs.

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

(Biswajit Basu, J.)