

03/02/2021
Item No.33
Court No.38.
AB

Through Video Conference

WPA 5103 of 2020

Shyamaprasad Hazra & Anr.

Vs

The State of West Bengal & Others

Mr. Malay Bhattacharya,
Mr. Subhrojyoti Ghosh ...for the Petitioners.

Mr. Chandi Charan De,
Mr. Anirban Sarkar ...for the State.

Affidavit of service is taken on record.

The petitioners claim to be joint owners of a property situate in mouza – Patrasayer, district – Bankura.

The petitioners say that in December, 2019, the petitioners were called by the Office of the concerned B.L.& L.R.O. with all documents pertaining to the land in question. When the petitioners attended the Office of the B.L.& L.R.O., they were told that as per the decision of the 6th respondent (Bon o Bhumi Sthayee Samiti), the land of the petitioners will be dug up. No reason for carrying out digging activity on the land of the petitioners was indicated.

The petitioners say that in fact, such digging activity has commenced, but the petitioners still do not know the reason for the same. All that the petitioners

pray for is that the B.L.& L.R.O. should inform the petitioners the reasons as to why the land of the petitioners is being encroached upon and being dug up.

Mr. De, learned Advocate for the State, in his usual fairness, submits that the B.L. & L.R.O. may be directed to communicate the reason for the aforesaid activity on the land of the petitioners.

Accordingly, I direct the 4th respondent to forthwith and in any event within a week from the date of receipt of a copy of this order along with a copy of the writ petition, inform the petitioners the reason as to why the concerned land of the petitioners is being dug up or otherwise being encroached upon.

No further order need be passed on this writ petition.

Since I have not called for any affidavit, the allegations contained in the writ petition are deemed not to be admitted by the respondents.

WPA 5103 of 2020 is, accordingly, disposed of.

Urgent Photostat Certified copy of this order, if applied for, be supplied expeditiously after complying with all necessary legal formalities.

(Arijit Banerjee, J.)

