

WPA (P) 149 of 2022

**Sk. Ibrahim Mondal
vs.
The State of West Bengal and others**

Mr. Bhaskar Prosad Banerjee
Mr. Surendra Kumar Sharma
Mr. Parashar Baidya

... for the petitioner

Mr. Samrat Sen, AAAG
Mr. Jahar Lal De
Mr. Supratim Dhar

... for the State

The allegation made in this petition is that the plots of land, details of which are disclosed in paragraph 3 of the writ petition, were acquired by the State in the proceedings under the Land Acquisition Act but subsequently, some private persons without any right are selling those land to third parties, the particulars thereof have also been disclosed in the petition.

The record reflects that the petitioner has already filed a detailed representation to the respondent no.5, District Magistrate, North 24 Parganas raising the aforesaid grievance.

Each of the transaction which is disclosed by the petitioner is required to be examined on the basis of the official record relating to acquisition and alleged subsequent unauthorised sell. The said exercise can more appropriately be done by the respondent no.5.

A perusal of the representation filed by the petitioner before the respondent no.5 reveals that the full particulars which have been disclosed in the writ petition

are not contained in the representation. Therefore the petitioner is permitted to submit a copy of the writ petition along with a fresh copy of the representation to the respondent no.5. On receipt of the said the respondent no.5 will get an enquiry conducted to ascertain the truthfulness to the allegation made by the petitioner and if it is found that any land acquired by the Government and belonging to the Government is being or has been illegally sold by the private parties without any right, then the respondent no.5 will take an appropriate action in accordance with law. The respondent no.5 on conclusion of the aforesaid exercise will duly communicate to the petitioner the outcome thereof.

Let this exercise be completed within a period of six months from the date of receipt of a fresh copy of representation along with the writ petition by the respondent no.5.

The writ petition is accordingly disposed of.

(Prakash Shrivastava, C.J.)

(Rajarshi Bharadwaj, J.)