

AD. 20.
May 19, 2022.
MNS.

WPA No. 7556 of 2022

Shashadhar Maiti
Vs.
The State of West Bengal and others

Mr. Raj Kumar Sain

...for the petitioner.

Mr. Santanu Kumar Mitra,
Mr. Mirza Kamruddin
...for the State.

Mr. Kashiswar Ghosal

...for the respondent nos. 8 and 9.

Learned counsel for the petitioner contends that, despite the petitioner having approached the respondent authorities, no steps are being taken by the respondent authorities for eviction of the private respondents under the provisions of the West Bengal Public Land (Eviction of Unauthorised Occupants) Act, 1962 (1962 Act).

Learned counsel for the private respondents controverts such contention and denies that the private respondents are in unauthorised occupation of the land. It is further submitted that a civil suit is pending in respect of the same land.

To this, learned counsel for the petitioner submits that a civil suit is pending in respect of the a private land.

Be that as it may, during the course of hearing, learned counsel for the State respondents submits that the matter was referred to the Block Land and Land Reforms Officer (BL&LRO) concerned, before whom it is pending for demarcation for the purpose of ascertaining as to whether the land-in-question is in the unauthorised occupation of the private respondents or anyone else.

Since the respondent authorities have already taken steps for addressing the issue involved in the writ petition, instead of keeping the writ petition pending, WPA No. 7556 of 2022 is disposed of by directing the BL&LRO, that is, the respondent no. 5 herein, to decide the issue of alleged unauthorised occupation of the land-in-question by the private respondents as expeditiously as possible, and to send his report immediately thereafter to respondent no. 3, that is, the Sub-Divisional Officer, Haldia.

Such process shall be concluded as expeditiously as possible, preferably within July 30, 2022.

In the event the report filed by the BL&LRO indicates that there is unauthorised occupation/encroachment of any public land, the District Magistrate and Collector, Purba Medinipur, that is, the respondent no. 2 shall take appropriate steps in accordance with law to address such issue.

There will be no order as to costs.

Urgent photostat certified copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Sabyasachi Bhattacharyya, J.)