

7th June,
2022
(AK)
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W.P.A 9314 of 2022

Rabindra Nath Pramanik
Vs.
The State of West Bengal and others

Ms. Pinki Saha
Mr. S.V. Maiti

...for the petitioner.

Affidavit-of-service filed in court today be kept on record.

It appears that, apart from respondent nos. 2, 4, 5 and 7, the rest of the respondents have been served but none appears for the respondents at the time of call.

In view of the innocuous nature of the prayer of the petitioner, further service on the absentee respondents is not being directed.

The petitioner alleges that the private respondent nos. 9 and 10 (both of whom have been served properly) are in unauthorized occupation of a property and the petitioner requested the respondent no.2, that is, the District Magistrate & Collector, Purba Midnapore to take adequate steps under the Public Land (Eviction of Unauthorized Occupants) Act, 1962 in that regard. However, no steps were taken thereupon.

In view of the above circumstances, WPA 9314 of 2022 is disposed of by directing respondent no.2, that is, the District Magistrate & Collector, Purba Midnapore to

decide on the representation given by the petitioner (Annexure P5 at page-34 of the writ petition) as expeditiously as possible, positively within four weeks from the date of communication of this order to the respondent no.2, if necessary, upon giving opportunity of representation/hearing to all concerned.

In the event the respondent no.2 comes to the finding that the private respondents are actually in unauthorized occupation of any property belonging to the State, the respondent no.2 shall take immediate steps thereafter for eviction of the said respondents from the said property in accordance with law and in terms of the Public Land (Eviction of Unauthorized Occupants) Act, 1962.

There will be no order as to costs.

Urgent photostat copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Sabyasachi Bhattacharyya, J.)