

AD-45
Ct No.09
11.08.2022
TN

WPA No. 17788 of 2022

Sri Biswajit Jana and others
Vs.
The State of West Bengal and others

Mr. Bharat Chandra Simai

.... for the petitioners

Mr. Naba Kumar Das,
Mr. Subhabrata Das

.... for the State

The grievance of the petitioners is that, despite the petitioners having given a representation to the respondent-authorities, in particular, respondent no.3, who is the District Magistrate and Collector, Purba Medinipur, the latter has not been taking any steps against the private respondents in respect of the unauthorised occupation of and construction made by the private respondents on a public land.

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

Despite service, none appears for the private respondents, although the petitioners and the State are represented through counsel.

WPA No. 17788 of 2022 is, thus, disposed of by directing the respondent no.3, that is, the District Magistrate and Collector, Purba Medinipur, to decide

on the representation given by the petitioners, as annexed to the present writ petition as Annexure-P2 at page-15 thereof, within eight weeks from date, upon giving an opportunity of hearing to the interested persons, if necessary by calling for a report from any authority as per the discretion of the District Magistrate and to determine the issue as to whether the private respondents have made unauthorised construction or are in unauthorised occupation of any public land.

In the event such finding is in the positive, the appropriate authority shall take prompt action thereafter, under the Public Land (Eviction of Unauthorised Occupants) Act, 1962, as expeditiously as possible.

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.)