

16.09.2022
Sl. No.55(DL)
srm

W.P.A. No. 18845 of 2021
Joydev Pal & Anr.
Vs.
The State of West Bengal & ors.

Mr. Keshab Chandra Das,
Ms. Aparajit Mondal,
Mr. Biplab Adak
....for the Petitioners.

Mr. Malay Krishna De,
Mr. Biswajit Dutta
...for the State-respondents.

Mr. S.A. Joynal
...for the Respondent No.9.

The petitioners allege that the respondent No.9 had forcefully constructed a structure on Plot No.2223 of mouza Srikrishnapur, District-Hooghly. The petitioners claim to be the owners of the said land. The allegation is of encroachment and denial of the right, title and interest of the petitioners.

The learned Advocate for the respondent No.9 submits that the respondent No.9 is the recorded owner of approximately 8 decimals in the same plot out of 15 decimals. He has furnished the order of conversion of the land passed by the Block Land and Land Reforms Officer, Dhaniakhali Development Block. The permission granted

by the competent panchayat authorities as also the sanction plan are filed before this Court. Those are taken on record.

Under such circumstances, the allegation of the petitioner is not sustainable in law. The issue with regard to encroachment and/or construction on the land of the petitioners cannot be decided either by the Writ Court or by the panchayat authorities.

The petitioners are at liberty to approach the learned civil court, in accordance with law.

The writ petition is disposed of accordingly.

There shall be no order as to costs.

The police report is taken on record.

Parties are to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)