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jdt.

15.11.2022
jb.

W.P.A. 18640 of 2022
(Gita Giri & Ors. vs. State of West Bengal & Ors.)

Mr. Kamalesh Bhattacharyya
Mr. Kallol Kr. Maity
.... For the Petitioners

Mr. Ansar Mondal
Mr. Suprabhat Bhattacharyya
.... For the State

Report submitted on behalf of the State respondents is taken on record.

The petitioners claim to be recorded owners of the plot in question and submit that a portion of the said plot has been encroached upon by the Block Development Officer, Purba Medinipur by constructing a boundary wall therein. The petitioners submitted a representation in this regard before the District Magistrate, Tamluk, Purba Medinipur on 15th June, 2022, but no steps have been taken pursuant to the said representation. The petitioners pray for demarcation of the portion of their land encroached upon by the Block Development

Officer and return of the same in their favour.

It is submitted on behalf of the State respondents that the alleged construction of boundary wall was done before about 12-13 years and not recently. The said fact is disputed by the petitioners.

Be that as it may, since the petitioners allege encroachment of a portion of their land by the State authority, the District Magistrate, Tamruk, Purba Medinipur being the third respondent herein, is directed to deal with the representation submitted by the petitioners dated 15th June, 2022 and take necessary steps to ascertain whether any portion of the petitioners' property has been encroached upon by the said authority. In the event such encroachment is detected, necessary steps should be taken by the third respondent in accordance with law. The entire exercise is directed to be completed within two months from the date of communication of this order upon affording reasonable opportunity of hearing to all the interested persons including the petitioners.

The writ petition is thus disposed of.

There shall be no order as to costs.

Since no affidavit has been invited, allegations contained in the writ petition shall be deemed not to have been admitted.

Urgent certified website copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

(Suvra Ghosh, J.)