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15.12.2022
d.p.

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A 20449 of 2021

**Sk. Rafikul
-versus
The State of West Bengal & Ors.**

**Mr. Kushal Chatterjee.
...For the Petitioner.**

**Mr. Srijan Nayek,
Ms. Rituparna Maity.
...For the State.**

**Mr. Sandip Ghose,
Mr. Sudarsan Roy,
Mr. Debayan Ghosh.
...For the North Dum Dum
Municipality.**

**Mr. Soumyajit Bhatta,
Mr. Partha Sarkar,
Mr. Prasenjit De.
...For the Respondent
Nos.6 and 7.**

The petitioner alleges illegal and unauthorized construction at the instance of the private respondents over vested plots of land.

Reference has been made to the information provided under the Right to Information Act in support of the submission that the plots in question where construction has been made, are acquired lands.

According to the petitioner, the said lands could not have been sold and constructed by the private parties.

The petitioner complains of in action on the part of the State respondents to take steps to correct the record of rights.

Learned advocate appearing for the respondent Nos. 6 and 7 submits, upon instructions, that they are the lawful owners of the plots in question.

Reliance has been placed upon title deeds and record of rights in support of the claim of ownership.

Learned advocate appearing for the private respondents submits that as many as six writ petitions have been filed in respect of the selfsame plots of land being WPA 6962 of 2020, WPA 6965 of 2020, WPA 6966 of 2020, WPA 9936 of 2022, WPA 12036 of 2021 and the present writ petition.

From the aforesaid submissions, it appears that the submission of the petitioner that construction is made over vested plots of land appears to be an incorrect submission.

The record of rights stands in the name of the person raising construction and enjoying the same.

In view of the above, no relief can be granted to the petitioner in the instant writ petition.

The writ petition fails and is hereby dismissed.

Report of the Deputy Commissioner of Police, Detective Department, Bidhannagar Police Commissionerate dated 14th December, 2022 is taken on record.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Amrita Sinha, J.)