

Sl. No.11
05.09.2022

Court No.24
B.M.

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

WPA 20068 of 2022

Amrita Kumar Kar & Anr.
vs.
State of West Bengal & Ors.

Mr. Ekramul Bari
Mr. Siddhartha Sankar Mondal
Ms. Sharmistha Das
Mr. Arunima Das Sharma
... for the petitioners
Mr. Jahar Lal De
Mr. Samim Ul Bari
... for the State

The petitioner admits that they are occupying a land which is recorded in favour of the State of West Bengal. According to the petitioners, they are in occupation of the said land for a considerable period of time and the Municipality is taking steps to remove them from the said plot of land without proceeding in accordance with law.

The petitioner submits that application has been made before the Nadia Zilla Parishad praying for settling the land in his favour by way of long term lease and the same is pending consideration till date.

None appears either on behalf of the Haringhata Municipality or the Nadia Zilla Parishad.

Learned advocate representing the State respondent do not have any instructions in the matter.

As it appears that the petitioners happen to be unauthorised encroachers of a piece of land recorded in favour of the Government, accordingly, it will be open for the respondent to take steps strictly in accordance with law for removal of the unauthorised encroachers.

The Nadia Zilla Parishad is directed to consider the representation filed by the petitioners in September 2021 in accordance with law after giving reasonable opportunity of hearing to the petitioners to produce documents in support of their claim of long possession of the land.

Learned advocate for the petitioner is directed to forward a copy of the representation dated 27th September, 2021 submitted in the office of the Nadia Zilla Parishad on 27th September, 2021 along with all other documents in support of their claim to the aforesaid respondent at the time of communicating the order of the Court.

Affidavit of service filed in Court is taken on records.

The writ petition stands disposed of.

Urgent photostat certified copy of this order, if applied for, be given to the parties on completion of usual formalities

(Amrita Sinha, J.)