

10.02.2023
Ct. 5
D/L 1
ab

WPA 1240 of 2023

Nayan Chand Aditya

-Vs-

The State of West Bengal & Ors.

Mr. Malay Bhattacharyya,
Mr. Pradip Paul

.... for the petitioner

Mr. Raja Saha
Mr. Prantik Garai

... for the State

Mr. Tanmoy Mukherjee,
Mr. Souvik Das,
Mr. K. R. Ahmed

... for the respondent nos. 9 to 12

The grievance of the petitioner arises out of the inaction of the State authorities in terms of an alleged encroachment done by the private respondents on the land belonging to the State. The petitioner wrote to the District Magistrate, Paschim Medinipur on 21st December, 2022. The petitioner has not received any reply to the said letter till date.

Learned counsel appearing for the State submits that the District Magistrate/Collector may be directed to consider the representation made by the petitioner.

Learned counsel appearing for the private respondent nos. 9-12 submits that the District Magistrate/Collector may also be directed to consider the representation made by the private respondents in 2020 for settlement of the land.

After considering Section 3(1) of The West Bengal Public Land (Eviction of Unauthorized Occupants) Act, 1962 which authorizes the Collector to issue a notice to show cause to any person, who in the opinion of the Collector, is in unauthorized occupation of the land, WPA 1240 of 2023 is disposed of with a direction on the Collector, Paschim Medinipur, to take steps as prescribed under the 1962 Act.

The Collector shall also consider the representation made by the private respondents under The West Bengal Land and Land Reforms Manual, 1991, which has been placed before the Court.

The Collector shall consider the representations and dispose of the same within a period of six week from date. The Collector shall be at liberty of hearing to any other necessary parties before taking steps under Section 3(1) of the 1962 Act. The Collector shall also issue notice to the concerned parties or as prescribed under the said Act.

(Moushumi Bhattacharya, J.)