

D/L. 8.
June 20, 2023.
MNS.

WPA No. 13708 of 2023

Smt. Madhumita Mete
Vs.
The State of West Bengal and others

Mr. Tanmoy Mukherjee,
Mr. K. P. Ahmed,
Mr. Rudranil Das

... for the petitioner.

Mr. K. M. Hossain,
Ms. Jamuna Saha

...for the State.

Affidavit-of-service filed in Court today be
kept on record.

Despite service, none appears on behalf of
the private respondent when the matter is called
on for hearing, although the petitioner and the
State are represented through counsel.

Learned counsel for the petitioner submits
that pursuant to the petitioner's complaint, the
Assistant Engineer, Uluberia Sub-Division, Public
Works Department, has written to the Block Land
& Land Reforms Officer, Jagatballavpur Block,
seeking a demarcation of government land
adjoining the relevant plot.

Learned counsel for the State also submits that the respondent authorities are awaiting the said report for the purpose of initiating action, if so required under the law, against the perpetrators of encroachment, if any.

As such, the dispute raised in the present writ petition can be resolved if the BL&LRO is directed to expedite the matter.

Accordingly, WPA No. 13708 of 2023 is disposed of by directing the respondents to ensure that the report sought from the BL&LRO, Jagatballavpur Block is sent to the Assistant Engineer, Uluberia Sub-Division, PWD at the earliest, preferably within a period of four weeks from date. Immediately thereafter, the respondent authorities shall ascertain, upon an enquiry into the matter and by giving hearing to the petitioner as well as the private respondent and/or any other party having interest in the matter, whether there is any *prima facie* illegal encroachment on the property-in-dispute. If so, the respondent authorities shall initiate appropriate proceedings within the contemplation of law for eviction of the unauthorised occupants and removal of the encroachment.

It is expected that the respondent authorities shall initiate proceedings under the appropriate Act, if so required, within a month from the date of receipt of the BL&LRO report.

There will be no order as to costs.

Urgent photostat certified copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Sabyasachi Bhattacharyya, J.)