

11.07.2023

Item No.4

Ct. No.1

PG/KS

W.P.A.(P) 327 of 2023

Kinkar Halder

Vs.

The State of West Bengal & Ors.

Mr. Raj Kumar Sain

Mr. Samarjit Balial

.....for the Petitioner

Mr. Lalit Mohan Mahata, Ld. A.G.P.

Mr. Supratim Dhar

.....for the State

1. The petitioner by way of this public interest litigation alleges that the private respondents namely, the respondent nos.8 to 10 are constructing in a Government land. In this regard, the learned advocate appearing for the petitioner places reliance on the record of rights, which shows the land in Khatian No.1770 as a Government land.
2. If that be so, the matter needs to be immediately looked into since nobody has got any vested right to construct on a Government land.
3. Though the private respondents have been served and affidavit of service has been filed, none appears for the private respondents.

4. In the light of the above, we direct the 2nd respondent namely, the District Magistrate, South 24 Parganas to consider the petitioner's representation, issue notice to the petitioner as well as the respondent nos.8 to 10 and after verification of the facts, if it is found that any construction has been put up on Government land, action shall be taken in accordance with law.
5. This direction be complied with within a period of four weeks from the date of receipt of server copy of this order.
6. No costs.
7. Urgent photostat certified copy of this order, if applied for, be furnished to the parties expeditiously upon compliance of all legal formalities.

(T. S. SIVAGNANAM)
CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)