

04.12.2023
Item No.66
Ct. No. 24
Aloke

W.P.A. 15347 of 2023

Sachidanada Das
...
Vs.
State of West Bengal & Ors.

Mr. Biswajit Sau
Mr. Sohhom Sau
... for the petitioner

Mr. Malay Singh
Ms. Neelam Singh
... for the State

The petitioner alleges that the private respondent has made construction over vested land. Reliance has been placed on the report of the Block Land & Land Reforms Officer, Mathurapur-II, South 24 Parganas dated 2nd September, 2022 wherein there is specific mention that the plot in question is vested to the State. The report mentions that there are four encroachers and the petitioner is also one of the encroachers.

Learned Advocate for the petitioner submits that as the frontage of the private land of the petitioner is being encroached by the others accordingly, the petitioner has raised construction to protect his private land. The petitioner submits that if the entire encroachment is removed, then the grievance of the petitioner will be redressed.

None represents the private respondent.

Affidavit-of-service is taken on record.

Learned Advocate representing the State respondents admits that the land in question is vested to the State.

As it appears that the land in question is a Government land and the same is admitted by the Block Land and Land Reforms Officer, accordingly, prompt necessary steps are to be taken for removal of the unauthorized encroachers in accordance with law. The Government ought to protect its own land by removing the unauthorized encroachers.

In view of the above, the instant writ petition is disposed of by directing the District Magistrate, South 24 Parganas to take steps for removal of the unauthorized encroachers from LR Plot No. 4562 corresponding to RS Plot No. 4319/4404 classified as 'Bandh' and recorded in LR Khatian No. 1. Steps shall be taken in the matter at the earlier but positively within a period of twelve weeks from the date of communication of this order.

The Superintendent of Police, Diamond Harbour Police District, is directed to render all necessary help and assistance to the District

Magistrate, South 24 Parganas at the time of removal of the unauthorized encroachers.

The writ petition stands disposed of.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Amrita Sinha, J.)