

ML 98
02.05.2023
Court. No. 19
GB

WPA 18447 of 2022

Sukumar Maity & Anr.
Vs
The State of West Bengal & Ors.

Mr. Debasish Roy,
Mr. Kallol Kr. Maity

...for the Petitioners.

Affidavit-of-service filed in Court today, be kept with the record.

Despite service, none appears on behalf of the State respondents.

It appears from the record that after demarcation and inspection, an authorized official intimated the Block Land and Land Reforms Officer about the alleged encroachment of the land of the petitioners during construction of the village road, by the panchayat authorities..

The petitioners pray for implementation of such report.

The petitioners will approach the Block Land and Land Reforms Officer and the Block Development Officer for necessary action on the basis of the report which is Annexure-P/10 at Page 85 of the writ petition. The factum of user of the petitioners' land for construction of the road and the measurements of the area utilized for such construction, have been categorically mentioned in the said report.

On an earlier occasion, this court had already directed the Block Development Officer to pass a reasoned

order upon effecting demarcation between the land of the petitioners and upon taking measurement of the area over which the concerned road had been constructed. The Block Land and Land Reforms Officer shall forward the entire report with the measurements and the sketch, to the Block Development.

The Block Development Officer shall pass an order and take steps to compensate the petitioners on the basis of the report which has been mentioned hereinabove. Once such reasoned order is passed and communicated, the higher authority shall take further steps to compensate the petitioners.

Accordingly, the writ petition is disposed of.

However, there will be no order as to costs.

All the parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)