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jdt.

13.01.2023
jb.

W.P.A. 22911 of 2022
(Ujjal Chakraborty vs. State of West Bengal & Ors.)

Mr. Suddhadeb Adak
Ms. Arpita Mondal
.... For the Petitioner
Mr. Chandi Charan De
Mr. Anirban Sarkar
.... For the State

The petitioner claims to be recorded owner of the plots in question and complains that the State respondents have encroached upon a portion of the said plots for construction of a Covid hospital building therein without acquiring the same by due process of law. The petitioner submitted a representation before the concerned authority on 25th May, 2022 for demarcation of the said portion of the plots pursuant to which a notice of demarcation was issued by the Block Land and Land Reforms Officer, Khanakul-I on 31st May, 2022.

It is submitted on behalf of the petitioner that such demarcation has not happened till date. The petitioner prays for a direction upon the concerned authority to demarcate the utilised portion of the plots and thereafter continue with construction therein.

It is submitted on behalf of the respondents that the 6th respondent be directed to demarcate the plots in question in terms of the representation submitted by the petitioner, in accordance with law.

In view of the above, the writ petition is disposed of directing the 6th respondent to demarcate the plots in question in terms of the representation submitted by the petitioner dated 25th May, 2022 within one month from the date of communication of this order in presence of all the interested persons including the petitioner or his authorised representatives and take further necessary steps in this regard, in accordance with law on the basis of the report so prepared.

Pending demarcation of the plots in question, let there be an order of *status quo* upon both the parties in respect of nature, character and possession of the plots in question as on this date.

The writ petition is thus disposed of.

There shall be no order as to costs.

Since no affidavit has been invited, allegations contained in the writ petition shall be deemed not to have been admitted.

Urgent certified website copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

(Suvra Ghosh, J.)