

08
24.11.2023
Court No. 24
AGM

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A 25895 of 2023

**Chaitali Kundu & Ors.
-versus
The State of West Bengal & Ors.**

**Mr. Biswaroop Bhattacharjee
Ms. Moumita Bhattacharjee
...For the Petitioners.**

**Mr. Avijit Sarkar
Mr. Md. Ahsanuzzaman
...For the State.**

Affidavit-of-service filed in Court today is taken on record.

The Memari Municipality and the private respondents are not represented.

A report has been prepared and filed by the Block Land and Land Reforms Officer, Memeri-I, Purba Burdwan signed on 10th November, 2023 wherein it has been mentioned that the construction is being made over the land recorded in favour of the 'construction bibhag', which is public land.

Let the copy of the report be circulated.

The Court vide order dated 9th November, 2023 directed Memari Municipality to file a report of spot

inspection indicating whether any plan was sanctioned for raising construction. The same has not been filed.

As it appears from the report of the Block Land and Land Reforms Officer that the construction has been made over public land, accordingly, the said officer is directed to take necessary steps for removal of the unauthorised construction in accordance with law.

Steps shall be taken in the matter after giving notice to all the necessary parties at the earliest but positively within a period of twelve weeks from the date of communication of this order.

The writ petition stands disposed of.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)