

**In the High Court at Calcutta
Circuit Bench at Jalpaiguri
Constitutional Writ Jurisdiction
Appellate Side**

WPA 1178 of 2023

**Rakhal De
-versus-
The State of West Bengal and Ors.**

Mr. Biplab Sengupta
Mr. Alok Bhowmick
Ms. Kakuli Singh
Ms. Sadhana Ghosh

... for the petitioner.

Mr. Bikramaditya Ghosh
Mr. Pretom Das

... for the State.

Mr. Deborshi Dhar

... for the Siliguri Municipal Corporation.

Counsel for the respective parties are
present.

The grievance of the petitioner is that the petitioner is the owner of the land measuring an area of 1.00 acre comprising in RS Plot No. 66 corresponding to LR Plot No.136 recorded in LR Khatian No. 1391 situated at Mouza Ujanu, JL No.86, Police Station Siliguri (now Matigara) District of Darjeeling. The Siliguri Municipal Corporation has illegally put signboard in the land of the petitioner and the petitioner has made several complaints to all the authorities but till date the request of the petitioner has not been considered.

Counsel for the Siliguri Municipal Corporation submits that the land belongs to the State Government and to safeguard the said land, the Municipal Corporation has put the said board in the said landed property.

This Court finds that there is a disputed question of fact with regard to the ownership of the landed property in which the petitioner is claiming his ownership and on the other hand, the counsel for the Corporation submits that the land belongs to the State.

Accordingly, the petitioner is given liberty to make a fresh representation before the respondent no.6 i.e. Block Land and Land Reforms Officer, Matigara within a week from date and if any representation is made by the petitioner to the respondent no.6, the respondent no.6 shall consider the said representation and pass appropriate order for demarcation and enquiry of the landed property of the petitioner and will pass a reasoned and speaking order within four weeks from the date of receipt of representation.

WPA No. 1178 of 2023 is thus disposed of.

(Krishna Rao, J.)