

14.03.2024
Item No.9
gd/ssd

WPA(P)/110/2024
SK. WASIM AKRAM
VS
STATE OF WEST BENGAL AND ORS.

Mr. Jakir Hossain,
Mr. Soumen Barman
..for the Petitioner.

Mr. Jahar lal Dey,
Mr. Soumyajit Ghosh
..for the State.

1. By way of this public interest litigation the petitioner seeks for a direction upon the authorities to consider the representation dated 15.02.2024 sent by speed post on 16.02.2024 alleging unauthorized occupation and illegal construction made by the private respondent, namely, the respondent no.7 over a plot of land which, according to the petitioner, is a government land.

2. The 7th respondent has been served and affidavit of service has been filed, but none appears on behalf of the 7th respondent.

3. Since the writ petition is disposed of without calling for affidavits, the merits of the allegations made by the petitioner are not gone into and left to the decision of the District Magistrate.

4. Accordingly, the writ petition is disposed of by directing the District Magistrate, namely, the 2nd respondent to consider the representation given by the

petitioner dated 15th February, 2024, conduct necessary enquiry after issuing notice to all concerned including the 7th respondent and pass appropriate orders on merits and in accordance with law.

5. It will be well open to the District Magistrate to call for an inspection report from the District Land and Land Reforms Officer, namely, the 5th respondent or the Block Land and Land Reforms Officer, namely, the 6th respondent or the Assistant Land Acquisition Officer, South 24-Parganas, namely, the 3rd respondent as deemed proper and appropriate.

6. The petitioner is directed to submit copies of the representation including the copy of the writ petition along with the copy of this order and place the same by appearing in person in the office of the District Magistrate and on receipt of the same, the above direction be complied with as expeditiously as possible preferably within a period of twelve weeks from the date on which the representation is submitted.

(T. S. SIVAGNANAM)
CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)