

07.10.2024

Item No. 08

Crt.No.02

b.r.

WPA 10158 of 2024

Habib Sekh & Anr.

-vs-

The State of West Bengal & Ors.

Mr. Gobinda Chandra Baidya

..... for the petitioners.

Mr. Chandi Charan De, Ld. AGP

Mr. Anirban Sarkar

.... For the State.

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

Mr. Gobinda Chandra Baidya, learned counsel appears for the petitioners.

Mr. Chandi Charan De, learned Additional Government Pleader, appears for the State-respondents.

The grievance of the petitioners is that a land immediately adjacent to the petitioners property is the acquired land of the State, which is not demarcated, as a result the petitioners cannot utilize their portion of land which is beyond acquisition. The petitioners submitted a representation dated **March 18, 2024 at page-47** to the writ petition but the State Authorities have not paid any heed thereto.

In view of the above, the **respondent no.5** upon notice to the **petitioners and respondent no.7** and **in**

their presence shall demarcate the acquired land in the light of the existing land records.

This Court has not gone into the merits of the writ petition.

If necessary the parties shall produce all the relevant records and documents before the **respondent no.5**.

This order shall also not create any right or equity in favour of the petitioners.

The entire exercise shall be carried out and completed by the **respondent no.5** positively within a period of **six weeks** from the date of communication of this order.

Since affidavits are not called for, the allegations made in this writ petition are deemed not to have been admitted by the respondents.

With the above observations and directions, this writ petition, **WPA 10158 of 2024** stands accordingly **disposed of**, without any order as to costs.

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

(Aniruddha Roy, J.)