

20.06.2024
Item No.42
RP/AN
Ct. No.1

WPA(P) 217 of 2024
Sukdeb Hembram & Ors.
Vs.
The State of West Bengal & Ors.

Mr. Debasis Sur
Mr. Angsuman Patra
Mr. Hare Krishna Haldar
.....for Petitioners
Mr. Anirban Ray, Ld. GP
Md. T.M. Siddiqui
Mr. Tanoy Chakraborty
Mr. Saptak Sanyal
.....for State
Mr. Kalyan Kumar Panda
.....for Respondent Nos.14,15,16 & 17

1. By way of filing this public interest litigation petition the petitioners allege that the private respondents are occupying forest land. As early as in the year 1971 by a judgment and decree dated 21.1.1971 the Court of Subordinate Judge, Bankura in Title Suit No.103 of 1967 has declared that the land is not a jungle nor the land comprised in the forest and it has never vested in the State of West Bengal. The suit was filed by the ancestors of the private respondents.
2. In the light of the decree passed by the competent civil Court, the same is binding on the State of West Bengal. Consequently, the relief sought for cannot be granted.
3. With the aforesaid observation, the writ petition is dismissed.

(T.S SIVAGNANAM)
CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)