

14.08.2024
Court No.09
Item no.06
CP

WPA No. 14569 of 2023

Saikat Singha
Vs.
The State of West Bengal & ors.

Mr. Sk. Jayed Hossain
... for the Petitioner.
Mr. Jyoti Prakash Chatterjee
Mr. Arindam Mitra
....for the State.
Mr. Sarbananda Sanyal
Ms. Poulami Chakraborty
....for the respondent no.8.

The petitioner alleges that the respondent nos.
7 and 9 have encroached upon a public land.

Learned advocate for the respondent no. 8
submits that the land belongs to the PWD and the
appropriate authority should have been approached.

The writ petition is disposed of directing the
Sub-Divisional Officer, Tamluk Sub-Division to
dispose of the representation of the petitioner dated
June 8, 2023, in accordance with law.

If the authority finds that the encroachment is
on a public land then the applicable law shall be
followed. If the authority finds that the encroachment
is on a State highway then the matter shall be
referred to the appropriate authority under the
appropriate law applicable.

Either party disposing of the matter shall proceed in accordance with law and grant opportunity of hearing to all concerned. Inspection shall be held in presence of the parties before any decision is taken. The report of such inspection shall be handed over to the parties concerned and, thereafter, a final order will be passed upon considering the respective submissions of the parties.

The petitioner is directed to serve a copy of the writ petition upon the authority.

There shall be no order as to costs.

Parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)