

Item.37

13.12.2024

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Ct. 17

**WPA 16005 of 2024**

**Barun Mondal**

**-vs-**

**The State of W.B. & ors.**

Mr. Dilip Kumar Sinha

...for the petitioner

Mr. Gausul Alam

Mr. Soumyajit Ghosh

...for the State

Report in the form of instructions submitted on behalf of the learned counsel for the State is taken on record.

No one appears on behalf of the private respondents despite service.

Learned counsel appearing on behalf of the petitioner submits that the land in front of his building belongs to the Irrigation and Waterways Department. The same has been encroached by the private respondents. In spite of representation made before the concerned authority in this regard, no steps have been taken.

Learned counsel for the State submits that an inquiry has already been done regarding the petitioner's complaint and the SDO concerned found that there is an illegal encroachment on public land. A notice for removal of the unauthorized construction has already been issued.

It appears that the respondent authorities have already taken steps in terms of the Act of 1962.

Let them conclude the proceeding in terms of the relevant Act after giving proper opportunity of hearing to the concerned parties, in accordance with law and as expeditiously as possible.

With these observations, the writ petition is disposed of.

Urgent Photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

**(Jay Sengupta, J.)**