

01.08.2024
Item No. 20
PG/RP
Ct. No.1

W.P.A. (P) 286 of 2024

**Nowsad Mondal
Versus
The State of West Bengal & Ors.**

Mr. Pankaj Halder
Mr. Neelabha Bera.....for the petitioner

Mr. Sirsanya Bandyopadhyay
Mr. Arka Kr. Nag
Mr. Ritesh Kr. Gangulyfor the State

Md. Wasim Akram.....for the private respondent

1. This writ petition has been filed as a public interest litigation alleging that the 7th respondent has encroached into a Government land, which is classified as 'Nayanjuli'.
2. Earlier the petitioner's father had filed a writ petition in W.P.A.18429 of 2023, which was disposed of and pursuant to the orders passed therein, the Assistant Engineer, Joynagar Sub-Division, PW.Dte. has addressed the Block Land and Land Reforms Officer, Mathurapur-I, South 24-Parganas to take necessary action.
3. The petitioner's grievance is that in spite of such a memorandum having been sent, no action has been initiated by the Block Land and Land Reforms Officer.
4. Since the writ petition is being disposed of without calling for affidavits, the merits of the allegations made

by the petitioner against the private respondent are not gone into and it is left open to be decided by the authority.

5. Accordingly, we direct the 5th respondent/Block Land and Land Reforms Officer, Mathurapur-I to conduct an inquiry into the matter, as requested by the Assistant Engineer Joynagar Sub-Division vide memo no. 745 dated 4th August, 2023 after issuing notice to the 7th respondent, the writ petitioner and any other persons, who are likely to have an interest in the matter and after conducting an inquiry, pass appropriate orders on merits and in accordance with law within a period of 12 weeks from the date of receipt of server copy of this order.
6. With the above directions, the writ petition is disposed of.
7. No costs.
8. Urgent photostat certified copy of this order, if applied for, be furnished to the parties expeditiously upon compliance of all legal formalities.

(T.S SIVAGNANAM)
CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)