

Court No. 2
26.7.2024
(Item No. 14)
(AB)

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side
W.P.A. 21167 of 2022

Kamal Kanta Maity
VS
The State of West Bengal & Ors.

Mr. Apurba Ghanti
Ms. Priti Jain
.... For the petitioner
Mr. Asim Kumar Ganguly
Mr. Sudip Sarkar
.... For the State

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

Mr. Apurba Ghanti, learned advocate appears for the petitioner.

Mr. Asim Kumar Ganguly, learned Additional Government Pleader appears for the State respondents.

The private respondents are not represented, despite notice.

The petitioner complains of an unauthorized and illegal filling up of a **“Doba”** land being **plot No. 747** at the behest of the private respondent Nos. 12 to 14.

Learned State counsel places a bunch of documents, the same is taken on record. It appears from **page 24** of the said bunch of documents that, the said “Doba” land was filled up by the private respondents illegally and wrongfully. The jurisdictional District Land & Land Reforms Officer

(D.L.&L.R.O.) by its **memo No. 1537 dated March 11, 2024** has confirmed the said illegal act and asked the jurisdictional B.L.&L.R.O. to lodge necessary F.I.R. against the relevant raiyats for violation of the relevant provisions of the Land Reforms Act. At **page 27** of the said bunch shows necessary F.I.R. was lodged on **March 12, 2024** before Kolaghat Police Station being **F.I.R. No. 0205** dated **March 12, 2024**.

In view of the above, nothing further survives in this writ petition. The jurisdictional Police Station, namely, Kolaghat Police Station is directed to take all necessary steps and to proceed further in terms of the said F.I.R. in accordance with law with utmost expedition.

In terms of **prayer (d)** to the writ petition, the respondent No. 6 is directed to make necessary enquiry forthwith and to take appropriate steps in accordance with law, if the enquiry report reveals that, the construction was made in violation of the statutory provision. It is further made clear that, if the construction is made not in violation of any statutory provision, no coercive step shall be taken.

The entire exercise as directed above, shall be carried out and completed by the respondent No. 6 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 21167 of 2022** stands disposed of, without any order as to costs.

Photostat certified copy of this order, if applied for, be furnished expeditiously.

(Aniruddha Roy, J.)