

11.11.2024
Ct. No. 2
Sl. No. 11
Moumita/sm

**IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side**

WPA 25224 of 2024

**Surendra Kumar Shukla and Anr.
Vs
State of West Bengal and Ors.**

**Mr. Dhana Krishna Adhikari,
Mr. Goutam Acharya,
Mr. Debdip Adhikari
..... for the Petitioners**

**Mr. Ashim Kumar Ganguly
Mr. Bellal Shaikh
.....for the Respondents**

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

Mr. Dhana Krishna Adhikari, learned advocate appears for the petitioner.

Mr. Bellal Shaikh, learned State Counsel appears for respondents.

The petitioner contends that on their parcel of land the state has fixed and installed a signboard showing that the land belongs to the state. Though actually the land belongs to the petitioners. The petitioners submitted a representation dated **31st July, 2024** before the **respondent no. 2 at page 129** to the writ petition. The same has not been decided.

The **respondent no. 2** upon issuing a prior hearing notice at least seven days to the writ petitioners and after affording an opportunity of hearing shall decide

said representation dated **31st July, 2024 at page 129** to the writ petition by passing a reasoned order in accordance with law.

The entire exercise as directed herein shall be carried out and completed by the respondent no. 2 positively within a period of **six weeks** from the date of communication of this order. The reasoned order shall be communicated to the petitioner within two weeks from the date of the reasoned order to be passed.

It is made clear that this court has not gone into the merits of the claim of the petitioners and the petitioners shall be at liberty to urge whatever points they wish to urge by relying upon whatever records and documents, they wish to rely upon before the respondent no.2, but the same shall not travel beyond the scope of the same representation dated **31st July, 2024 at page 129** to the writ petition.

In the event, the reasoned order goes in favour of the petitioner then immediately the signboard shall be removed by the appropriate authority positively within a period of two days from communication of the reasoned order to such State authority.

In course of the hearing, the respondent no. 6 shall place all the relevant land records before the respondent no. 2 and the respondent no. 6 shall depute

a responsible officer from his office to attend the hearing before the respondent no. 2.

It is made clear that this order shall not create any right or equity in favour of the petitioners if the petitioners do not succeed to their contentions made in the representation dated **July 31, 2024** strictly in accordance with law.

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 25224 of 2024 stands disposed of**, without any order as to costs.

(Aniruddha Roy, J.)