

21.05.2024
court no. 28
serial no. 75
kaushik

WPA 27580 of 2023

Debabrata Mondal
Vs.
The State of West Bengal & Ors.

Mr. Soumen Bhattacharya
Mr. Ankan Das
Mr. Sandeep Chakraborty
... ... for the petitioner

Ms. Susmita Chatterjee
... ... for the WBSEDCL

Mr. Nirmalya Biswas
Mr. Kaustav Chatterjee
... ... for the State

It is the submission of the learned counsel for the petitioner that he is the absolute owner of 10 Satak land situated at Mouza-Kalaria, J.L. No. 39, RS and LR Dag No. 1501/1644, LR Khatian No.-3310, vide Deed No. 160411626/2023, Police Station – Jibantala, South 14-Parganas.

It is the case of the petitioner that the respondent no. 2 had encroached upon the southern portion of the petitioner's land and has installed electric pipeline. Petitioner had made a representation dated 16.11.2024 against the said encroachment. However, no decision has been taken on the said representation.

Being aggrieved by the inaction of the respondent authority, the petitioner had preferred the present writ petition.

Learned counsel for the respondent no. 2 has handed over a letter written by the respondent to Block Land and Land Reforms Officer seeking clarification regarding the title of the petitioner on the said land.

The learned counsel for the petitioner has drawn the attention of this Court to the document annexed with the petition which shows that the petitioner is the absolute owner of the said land.

Be that as it may, learned counsel for the respondent nos. 2 and 5 submits that they have no objection in deciding the petitioner's representation in a time bound manner.

In view thereof, the present writ petition is disposed of by directing the respondent nos. 2 and 5 to decide the representation of the petitioner within a period of four weeks by affording opportunity of hearing to the petitioner and shall pass a reasoned and speaking order from the date of communication of this order. The final decision shall be communicated to the petitioner. Needless to state that the petitioner is at liberty to challenge the same in accordance with law.

With the above direction, the present writ petition is disposed of.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Gaurang Kanth, J.)