

30.07.2024
Ct. No. 2
Sl. No. 54
tbsr

WPA 29221 of 2023

Manotosh Kumar Mondal
Vs.
State of West Bengal & Ors.

Md. Zeeshanuz Zaman
....for the petitioner

Mr. Tarun Kumar Ghosh
Mr. Lalmohan Basu
....for the State respondents

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

Md. Zeeshanuz Zaman, learned advocate appears for the petitioner.

Mr. Tarun Kumar Ghosh, learned State advocate appears for the State respondents.

The petitioner refers to **Annexure P-2 at page 14** to the writ petition and submits that by an order dated October 12, 2023 though the Executive Magistrate, Baruipur Sub-Division, South 24 Parganas specifically directed the respondent no. 6 to demarcate the suit land and report, the said exercise has not been carried out by the respondent no. 6.

Today, when the writ petition was taken up for consideration, learned State advocate submits a report dated **July 29, 2024** issued under the seal and signature of the Inspector-in-Charge, Sonarpur Police Station. The same is taken on record.

The said report shows as follows:-

“It is submitted that a date was fixed by the Revenue Inspector, Protapnagar R.I. Office, Sonarpur Block, South 24 Parganas on 09.11.2023 for demarcation of suit land of the petitioner and notices were also served upon the both parties to be present on that day. Then on 06.11.2023 the petitioner paid the cost of Rs. 15,630/- by way of challan in the account of the Government of West Bengal for the purpose of rendering police assistance during the demarcation process. It is also submitted that on 09.11.2023 the police authority provided necessary police assistances during the time of demarcation of suit land which refers to Sonarpur PS GDE No. 629 & 653 dated 09.11.2023. Thus the demarcation process was ended by the Revenue Inspector, Protapnagar R.I. Office, B.L. & L.R.O. Sonarpur Block, South 24 Parganas along with necessary police assistance in presence of both the petitioner & the private respondents.”

In view of the above report submitted by the learned State advocate, nothing further remains in this writ petition as the necessary demarcation process has already been completed by the Revenue Inspector.

The respondent no. 6 is directed to submit a copy of the demarcation map with regard to the subject plot of land in the form of a report before the respondent no. 4

positively within a period of **three weeks** from the date of communication of this order.

The petitioner shall be at liberty to apply for obtaining true copy of the said report along with the demarcation map to be submitted by the respondent no. 6 from the office of the respondent no. 4. In the event, such an application is submitted by the petitioner, the office of the respondent no. 4 shall provide the same to the petitioner positively within a period of **one week** from the date of receiving such application from the petitioner.

It is needless to mention that, in the event, the demarcation map is not yet prepared by the respondent no. 6 on the basis of the demarcation of the land already made, the respondent no. 6 shall prepare the same within a week from the date of communication of this order and carry out the above directions forthwith.

Since affidavits are not called for, the allegations made in this writ petition are deemed not to have been admitted by the respondents.

On the above terms, this writ petition, **WPA 29221 of 2023** stands **disposed of**, without any order as to costs.

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

(Aniruddha Roy, J.)