

**IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri
Constitutional Writ Jurisdiction
Appellate Side**

WPA 1014 of 2024

**Pradip Bhujel
Versus
The State of West Bengal and Ors.**

Mr. Pratap Khati, Adv.
Ms. Celestina Rai, Adv.

... for the petitioner

Mr. Subir Kumar Saha, Adv.
Mr. Sumit Kumar, Adv.

... for the State

Mr. Pratap Khati, learned counsel, is appearing for the petitioner. Mr. Sumit Kumar, learned counsel, is appearing for the State.

The petitioner has filed the present application being aggrieved with the notice issued by the Officer in Charge, Reang Police Station, District Kalimpong wherein the Officer in Charge, Reang Police Station directed the petitioner to stop the construction work at the Government land immediately after receiving this notice.

Counsel for the State has submitted the report wherein it is submitted that the petitioner as encroached the Government land and already an enquiry has been held and proceeding has been initiated against the petitioner for his eviction and the

date of hearing is fixed on 27th May, 2024 before the Sub Divisional Magistrate.

Considered the submission made by the counsel for the respective parties. Perused the report submitted by the State.

This Court finds that the notice issued by the Officer in Charge, Reang Police Station is beyond his jurisdiction and accordingly, the notice dated 1st may, 2024 issued by the Officer in Charge, Reang Police Station is set aside and quashed.

It is made clear that this order will not affect the competent authority for taking appropriate decision in which already a case has been initiated against the petitioner for his eviction from the Government land in respect of LR No.1699 corresponding to RS plot No. 1271 sheet no. 7.

In view of the above, WPA No. 1014 of 2024 is disposed of.

(Krishna Rao, J.)