

December 15, 2025
AD 15
Ct. 24
SG

WPA 729 of 2025

Samir Goswami
vs.
The State of West Bengal and others

Mr. Dipankar Aditya
Ms. Aishwarya Priya Raha
... for the petitioner

Mr. Malay Singh
Ms. Neelam Singh
... for the State

Mr. Dipak Kumar Mukherjee
Mr. Rajib Mukherjee
Ms. Shreyasi Bhaduri
Mr. Sourish Mukherjee
... for the Kotrung Municipality

Ms. Anamika Pandey
... for the respondent No.6

The petitioner aggrieved that the construction made by him on the bank of a water body has been challenged and the authorities are not taking steps and/or are taking steps against his construction.

Ms. Pandey, learned counsel, represents the respondent No.6, who is a co-owner of the pond and on whose complaint the authorities have acted. The petitioner, in spite of several opportunities given, till date has not filed any exception to the report filed by the BLRO on 17.01.2025.

In view of such disputes between the parties and particularly in view of the petitioner submitting that the measurements made by the BLRO in respect

of the said premises adjoining a pond, being incorrect, on the suggestion of the parties, I direct the District Engineer, Land Reforms Office along with the Executive Engineer of Uttarpara Kotrung Municipality to cause an inspection and make an enquiry with detailed particulars of the pond and the adjoining construction thereof, particularly those made by the petitioner.

The aforesaid personnel shall file a report based on the investigation and enquiry with the respondent No.3 within a period of four weeks, by January 15, 2026.

Upon receipt of such report, the respondent No.3 will afford adequate opportunity of hearing to the petitioner and the respondent No.6 and call for records that he may seek necessary, to adjudicate the matter. The scope of the adjudication will be limited to the scope of the writ petition, without going into the question of the proceeding under Section 4(c) of the West Bengal Land Reforms Act, 1955. The respondent No.3 is directed to complete such adjudication within a period of six weeks from January 15, 2026, by February 28, 2026.

Barring this issue, the challenge by the petitioner to a proceeding initiated under Section 4(C) of the West Bengal Land Reforms Act has not been gone into.

With these observations, the writ petition is disposed of.

There will be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of requisite formalities.

(Reetobroto Kumar Mitra, J.)