

Item.16

17.03.2025
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Ct. 17

WPA 3779 of 2025

**Saiyad Ajijul Hossain @ Saiyad Azizul Hossain
-vs-
The State of West Bengal & ors.**

Mr. Sk. Jayed Hossain
...for the petitioner

Mr. Biswabrata Basu Mallick, Ld. AGP
Mr. Tamal Taru Panda
...for the State

Affidavit of service filed on behalf of the petitioner is taken on record.

It appears that the private respondent refused to accept service.

Learned counsel appearing on behalf of the petitioner submits as follows. The private respondent along with others have come up with an illegal construction on public land. In fact, he is a habitual offender, in as much as, earlier this Court had to direct removal of encroachment by him from this public property. This time, the petitioner made a representation on 27.12.2024 before the concerned authorities for taking action against the private respondent in terms of the West Bengal Public Land (Eviction of Unauthorized Occupants) Act, 1962. But, no effective steps have been taken, except for referring the matter to the B.D.O.

Learned counsel appearing on behalf of the State relies

on the report, which is taken on record, and submits as follows. The report indicates that pursuant to an earlier order, an eviction was effected on 30.04.2024. However, on scrutinizing all the relevant records, the dispute appears to be civil in nature.

It appears that a representation dated 27.12.2024 is pending consideration before the concerned authorities.

In view of the above, let the S.D.O, Haldia consider the petitioner's representation dated 27.12.2024 in accordance with law upon hearing all the interested parties and as expeditiously as possible, preferably within a period of ten weeks from the date of communication of this order.

With these observations, the writ petition is disposed of.

It is made clear that the merits of the case have not been gone into.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Jay Sengupta, J.)