

March 18, 2025
AD 34
Ct. 17
SG

WPA 5007 of 2025

Sarkar Enamul and others
vs.
The State of West Bengal and others

Mr. Partha Pratim Roy
Mr. Sarbananda Sanyal
Ms. Poulami Chakraborty
... for the petitioners

Mr. Subhendu Bandopadhyay
Ms. Payel Mitra
... for the State

Affidavit of service filed in Court is taken on record.

Learned counsel for the petitioners submits that the private respondents had encroached upon Government land and made some illegal construction. It is blocking the ingress and egress to the petitioners' property. Accordingly, the petitioners made a representation before the concerned authorities on 13.02.2025 to take action in terms of the West Bengal Public Land (Eviction of Unauthorised Occupants) Act, 1962. In spite of this, the same has not been considered.

Learned counsel for the State submits that in the event such representation is pending consideration, the same shall be considered in accordance with law. It appears that there is a partition suit between the petitioners and the private respondents.

At this stage, learned counsel for the petitioners submits that the partition suit is there in respect of another property being plot No.2591 and not the Government land which the private respondents had allegedly encroached upon being the plot No.2588.

Be that as it may, it appears that a representation of the petitioners is pending in this regard dated 13.02.2025.

In view of the above, let the Sub-Divisional Officer, Lalbagh consider the petitioners' said representation dated 13.02.2025 in accordance with law and upon hearing all interested parties as expeditiously as possible, preferably within ten weeks from the date of communication of this order.

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

With these observations, the writ petition is disposed of without any order, even as to costs.

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

(Jay Sengupta, J.)