

16.04.2025
(D/L 12)
Ct.-17
(Susanta
Samar)

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION**

APPELLATE SIDE

W.P.A. 7728 of 2025

Patit Ghosh

-Vs-

The State of West Bengal & Ors.

Mr. Pankaj Halder,
Mr. Sanatan Panja,
Mr. Tapas Manna,

.... For the Petitioner.

Sk. Md. Galib, Sr. Govt. Adv.,
Ms. Priyamvada Singh,

.... For the State.

Mr. Soumik Dey,

.... For the DPSC (Nadia).

Mr. Ramen Bose,

.... For the Respondent no. 13.

Affidavit-of-service filed on behalf of the
petitioner be kept with the record.

The petitioner is alleging that the residents of
Village: Bangrata, P.O. Buincha, P.S. Santipur had
gifted a piece of land to the Nadia District Primary
School Council for setting up a Primary School but
the private respondent no. 13, namely, *Ashim Ghosh*,
and his associates have encroached upon the said
land and have constructed a building thereon.

The petitioner, being the owner of a plot of land
adjacent to the aforesaid land had protested against
such encroachment and by a representation dated
March 07, 2025, had sought for intervention of the
Sub-Divisional Officer, Sadar Krishnanagar, District:
Nadia, the respondent no. 7 herein for removal of
such encroachment. The said representation forms
part of the instant writ petition.

The said respondent is directed to consider and dispose of the said representation in accordance with law after giving all concerned parties, an opportunity of hearing within a period of **six weeks** from the date of communication of this order.

It is made clear that while disposing of the said representation, the respondent no. 7 shall first determine the nature of the said land, i.e. whether it is a Public Land as defined under the Public Land (Eviction of Unauthorized Occupants) Act, 1962.

W.P.A. 7728 of 2025 is disposed of with the above terms without any order as to costs.

Parties to act on the server copy of this order duly downloaded from the official *website* of this Court.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Biswajit Basu, J.)