

M/L 20
04.08.2025
Court No.17
SD

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
WPA 8262 of 2025

Rabindranath Dhara & Ors.

Vs.

The State of West Bengal & Ors.

Mr. Amit Baran Dash

Ms. Ankana Sarkar

...for the Petitioners.

Mr. Swapan Banerjee

Mr. Diptendu Narayan Banerjee

...for the State.

Mr. Shibaji Kumar Das

...for the Respondent Nos.8-9.

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

A representation dated June 22, 2024 of the petitioners is pending consideration before the Executive Engineer, Contai Irrigation Division, Purba Medinipore, the respondent no.4 herein.

In the said representation, the petitioners have alleged that the private respondents, being respondent nos.8 and 9 herein, have encroached upon the public land comprised of Dag No.01 and Dag No. 01/510 under Khatian No.377, Mouja Raybar, P.S. Bhagabanpur and have erected structures thereon.

The petitioners by the said representation, have prayed for removal of such encroachment and demolition of the said alleged unauthorized structures.

Mr. Shibaji Kumar Das, learned advocate for the respondent nos.8 and 9 submits that his clients have no connection with the subject public land inasmuch as they are the recorded owner of lands comprised in L.R. Dag No.699/882 and 700 under Khatian No.395 of Mouja-Mokramichak.

The respondent no.4, being an authority under the provision of the West Bengal Land (Eviction of Unauthorized Occupants) Act, 1962, is obliged to remove the encroachments, if there be any, on public land. The said respondent, therefore is directed to dispose of the said representation of the petitioners which forms part of the writ

petition being Annexure-P/2, in accordance with law, after giving the petitioners, the private respondents and all other concerned parties, an opportunity of hearing.

Since no affidavit has been invited, the allegations made in the writ petition are deemed to have been denied by the respondents.

WPA 8262 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 of all requisite formalities.

(Biswajit Basu, J.)