

M/L 3
04.08.2025
Court No.17
SD

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
WPA 10517 of 2025

Debashis Adak

Vs.

The State of West Bengal & Ors.

Mr. Rejaul Alam
Mr. Subir Sabud

...for the Petitioners.

Mr. Pantu Deb Roy, Ld. AGP
Mr. Pannalal Bandyopadhyay

...for the State.

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

None appears on behalf of the State-respondent on call.

Under such circumstances, this Court appoints Mr. Pantu Deb Roy, learned AGP and Mr. Pannalal Bandyopadhyay, an advocate in the State roll to represent the State-respondents in the matter, their appointment be regularized. Copy of the writ petition be served upon Mr. Bandyopadhyay.

A representation dated March 24, 2025 of the petitioner is pending consideration before the Sub Divisional Officer, Tamluk Sub-Division, Purba Medinipore, the respondent no.3 herein.

In the said representation, the petitioner has alleged that the private respondents being respondent nos.7 and 8 have encroached upon public land and had put up construction thereon. The petitioner by the said representation has prayed for removal of such encroachment and demolition of the alleged unauthorized construction.

The respondent no.3 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 is therefore directed to dispose of the representation of the petitioner which forms part of the writ petition being Annexure-P/8 in accordance with law, after giving the petitioner, the private respondents and all concerned an opportunity of hearing.

WPA 10517 of 2025 is disposed of without any order as to costs.

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

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.)