

S/L 12
09.09.2025
Court. No. 19
Suvayan

WPA 10487 of 2025

Goutam Kumar Das
Vs.
The State of West Bengal & Ors.

Mr. Pabitra Bhaumik

...for the petitioner.

Mr. Chandi Charan De, AGP
Mr. Anirban Sarkar

...for the State.

Mr. Dhiman Banerjee

...for the private respondents.

1. The supplementary affidavit as filed today on behalf of the writ petitioner is taken on record.
2. The writ petitioner, the respondents/State and the private respondents are represented by their respective Counsels.
3. At the time of hearing, Mr. Bhaumik, learned Advocate appearing on behalf of the writ petitioner at the very outset draws attention of this Court to page nos. 12 to 20 of the instant writ petition being a copy of the registered deed of lease as executed by the Governor of West Bengal in favour of the lessee that is the Deputy Assistant Inspector of Schools, Panskura North Circle and Administrator, Purbachilka L.C. High School, P.O. Purbachilka, District – Midnapore.
4. It is submitted by Mr. Bhaumik that upon the said leasehold land Purbachilka Lalchand High School (H.S.) was established and the writ petitioner is the headmaster of the said school.

5. It is submitted by Mr. Bhaumik that it is the specific case of the writ petitioner that the private respondents have most illegally encroached the leasehold land of the said school and built up a shop room as a result whereof the easy access to the school building is obstructed.
6. It is thus submitted by Mr. Bhaumik that appropriate relief/reliefs may be granted to the writ petitioner in terms of the prayers made in the instant writ petition.
7. Mr. De, learned A.G.P. appearing on behalf of the respondents/State in his usual fairness submits before this Court that appropriate order may be passed upon the respondents/authorities for taking appropriate steps if alleged encroachment is found.
8. Mr. Banerjee, learned Advocate appearing on behalf of the private respondents, however, disputed the contention of Mr. Bhaumik.
9. It is argued by Mr. Banerjee that the shop room of the private respondents are situated on the raiyati land of the private respondents.
10. On careful consideration of the entire materials as placed before this Court and after hearing the learned Advocates for the contending parties, this Court while disposing the instant writ petition directs the respondent no. 2/authority to make a field verification after prior service of notice upon the writ petitioner and the private respondents and soon thereafter he shall submit a demarcation report with the Additional District Magistrate (LR), Purba Midnapore within 30 working

days from the date of communication of the server copy of this order.

11. The Additional District Magistrate (LR), Purba Midnapore on receipt of the demarcation report from the respondent no. 2/authority shall cause service of notice upon the writ petitioner and the private respondents and after giving due opportunity of hearing both to the writ petitioner and the private respondents and/or their authorized representatives shall pass a reasoned order upon the representation dated 25.06.2025 as submitted by the writ petitioner (a copy of which has been annexed at page no. 5 of the supplementary affidavit as filed by the writ petitioner) in the light of the said demarcation report and shall forthwith communicate the same both to the writ petitioner and the private respondents preferably by email, if email details of the writ petitioner and the private respondents are provided to him at the time of hearing.
12. The entire exercise as indicated hereinabove is to be completed by the Additional District Magistrate (LR), Purba Midnapore within 60 working days from the date of receipt of the demarcation report from the respondent no. 2/authority.
13. The time limits as fixed by this Court are mandatory and peremptory.
14. Liberty is given to the learned Advocate-on-Record for the writ petitioner to communicate the server copy of this order to the respondent no. 2/authority as well as to

the Additional District Magistrate (LR), Purba Midnapore.

15. The respondent no.2/authority and Additional District Magistrate (LR), Purba Midnapore are hereby directed to act on the server copy of this order.
16. Before parting with it is made clear that in the event while passing the reasoned order the Additional District Magistrate (LR) finds sufficient merit in the representation dated 25.06.2025 as submitted by the writ petitioner, the Additional District Magistrate (LR), Purba Midnapore shall take appropriate steps for removal of encroachment of the private respondents and/or any other stake holders, if there be any, from the leasehold property of the school forthwith with the assistance of the Police Administration of the District – Purba Midnapore.
17. With the aforementioned observation, the instant writ petition being WPA 10487 of 2025 is disposed of.
18. Department is directed to forward a copy of this order to the Additional District Magistrate (LR), Purba Midnapore and the Superintendent of Police, Purba Midnapore forthwith.
19. Since affidavits have not been called for the allegations as made in the instant writ petition are deemed to have been denied and before the Additional District Magistrate (LR), Purba Midnapore all points are kept open.

20. Urgent photostat certified copies of this order, if applied for, be supplied to the parties upon compliance with all the necessary formalities.

(Partha Sarathi Sen, J.)