

11.12.2025
SL No. 464
AMR
Ct.No.551

WPA 11382 of 2025

**Sri Badal Das
Vs.
The State of West Bengal & Ors.**

Mr. Ziaul Haque
Mr. Kartik Das

....for the petitioner

Mr. Shyamal Ray

...for the private respondent nos. 6, 7 & 8.

Mr. Joydip Banerjee
Mr. Prabir Kumar Ray

...for the State

The petitioner alleges inaction on the part of the respondent no. 4, i.e., Sub-Divisional Officer, Ghatal, Paschim Medinipur in considering the petitioner's representation dated April 16, 2025.

It is contended on behalf of the petitioner that the respondent nos. 6, 7 and 8 have unauthorizedly occupied Government land and have raised structures thereon in such a manner that the same impedes the petitioner's ingress to and egress from the petitioner's residential property.

Learned advocate appearing for the petitioner submits that despite a representation having been

made to the respondent no. 4, no step has been taken as yet.

Learned advocate for the petitioner further hands up to the Court a copy of letter dated November 27, 2025 issued by the Block Land and Land Reforms Officer, which reveals that a field enquiry had been conducted by the concerned Revenue Inspector and the petitioner as well as the respondent nos. 6 to 8 were directed not to indulge in any encroachment upon Government land and also to restore the plot to its original condition.

The letter dated November 27, 2025 is taken on record.

Learned advocate appearing for the respondents/State authorities submits that Revenue Inspector had conducted inspection upon the subject Government land and that appropriate steps are being taken against the encroachers.

Learned advocate appearing for the respondent nos. 6 to 8 submits that the said respondents have purchased the property by way of proper Deed of Conveyance and they are not encroaching upon any Government land.

Heard learned advocates appearing for the respective parties and considered the material on record. In terms of the relevant provisions of the West

Bengal Public Land (Eviction and Unauthorized Occupants) Act, 1962, the respondent no. 4, Sub-Divisional Officer, Ghatal, Paschim Medinipur is the appropriate authority to take a decision as regards unauthorized occupation of a Government land.

Since a representation dated April 16, 2025 has already been made to the respondent no. 4 and since it is apparent from the letter dated November 27, 2025 issued by the Block Land and Land Reforms Officer to the petitioner and the respondent nos. 6 to 8 that there is a possibility of Government land having been encroached and unauthorizedly occupied, therefore, the respondent no. 4 is required to take note of the petitioner's representation dated April 16, 2025 as also the notice dated November 27, 2025 issued by the Block Land and Land Reforms Officer, Chandrakona-II, Paschim Medinipur and to take appropriate steps in accordance with law to ensure that unauthorized occupation and encroachment over Government land is removed forthwith.

It is clarified that the respondent no. 4 shall, while proceeding in terms of the said Act of 1962, grant an opportunity of hearing to all interested persons including the petitioner and the respondent nos. 6 to 8 and take appropriate decision strictly in accordance with law.

The respondent no. 4 shall ensure that the exercise in terms of the said Act of 1962 is concluded as expeditiously as possible, preferably within a period of eight weeks from the date of communication of this order.

WPA 11382 of 2025 stands **disposed of**.

Urgent photostat certified copy of this order, if applied for, be given to the parties on usual undertaking.

(Om Narayan Rai, J.)