

S/L 14
25.06.2025
Court. No. 19
Sourav

WPA 11640 of 2025

Sk. Zafar & Ors.

Vs.

The State of West Bengal & Ors.

Mr. Soumik Ganguly
Mr. Dilip Kumar Sadhu

...for the petitioners.

Mr. Soumitra Bandyopadhyay, Sr. Govt. Adv.
Ms. Sucheta Banerjee

...for the State.

1. The affidavit-of-service as filed today is taken on record.
2. None appears on behalf of the respondent nos. 8 to 10 despite service.
3. By filing the instant writ petition the writ petitioners have prayed for issuance of appropriate writ/writs directing the respondents/authorities for removing a board, a photocopy of which has been annexed at Page No. 32 of the instant writ petition from the land of the writ petitioners.
4. It is submitted by Mr. Ganguly, learned advocate appearing on behalf of the writ petitioners that in respect of R.S/L.R Plot Nos. 1004, 1003, 976 and 977 in Mouza – Belguma, patta was given to one Abdul Rafiq @ Jahaj who is the predecessor-in-interest of the present writ petitioners. It is submitted by Mr. Ganguly that copy of the said patta has been annexed at Page Nos. 20 to 22 of the instant writ petition.
5. It is further submitted by Mr. Ganguly that on the demise of the said patta holder of the aforesaid four

plots of land, the present writ petitioners being its legal heirs inherited the aforementioned four plots and they are in settled possession of the same.

6. It is further submitted by Mr. Ganguly that all on a sudden on 28.04.2025, the men and agents of the respondents/authorities came to the aforementioned four plots of the writ petitioners and made an attempt to dispossess the writ petitioners from the said four plots of land without due process of law, however, on the protest made by the writ petitioners they failed to dispossess the writ petitioners.
7. It is further submitted that thereafter the respondents/authorities have placed a board upon the land of the writ petitioners and thus, finding no other alternative, the writ petitioners have approached the respondent no. 3/authority by submitting a representation dated 02.05.2025 which has not yet been considered by the said respondent no. 3/authority. It is thus submitted by Mr. Ganguly that appropriate relief/reliefs may be granted to the writ petitioners in terms of the prayers made in the instant writ petition.
8. In course of his submission, Mr. Bandyapadhyay, learned Senior Government Advocate appearing on behalf of the respondent/State and its functionaries has filed a report dated 12.06.2025 as prepared by the respondent no. 8/authority after serving a copy of the same to the learned advocate for the writ petitioners which is taken on record.

9. It is submitted by Mr. Bandyapadhyay that the writ petitioners have not paid the adequate court fees. It is further submitted that from the report as submitted before this Court, it would reveal that the aforementioned four plots of land are all vested lands and those lands are still recorded in Khatian No. 1.
10. It is further submitted by Mr. Bandyapadhyay that from the report of the respondent no. 8/authority, it would reveal that no document regarding obtaining alleged patta by the predecessor-in-interest of the writ petitioners is found in the record of the respondents/authorities. It is further submitted by Mr. Bandyapadhaya that the report as filed today reveals that the copy of the patta which has been annexed in the instant writ petition is not genuine.
11. On careful consideration of the entire materials as placed before this Court and after hearing the learned advocates for the contending parties, this Court considers that in order to come to a finding as to whether the writ petitioners are the owners of the aforementioned four plots of land and/or the copy of the patta which has been relied upon in the instant writ petition is genuine or not, a finding is required to that effect from the appropriate authority after giving a chance of hearing to the writ petitioners and/or their authorized representatives.
12. In view of such, this Court while disposing the instant writ petition directs the respondent no. 3/authority to consider a copy of the instant writ petition with all its

annexures as a representation of the writ petitioners. The respondent no. 3/authority is further directed to give an opportunity of hearing to the writ petitioners and/or their authorized representatives as well as all other stakeholders as he may deem fit and necessary and thereafter shall pass a reasoned order on the representation of the writ petitioners in accordance with law and shall communicate such reasoned order both to the writ petitioners as well as to other stakeholders preferably by mail, if the mail details of the writ petitioners are provided to him at the time of hearing.

13. The entire exercise as indicated hereinabove is to be completed within 60 working days from the date of communication of the server copy of this order.
14. The time limit as fixed by this Court is mandatory and peremptory.
15. Liberty is given to the learned advocate-on-record for the writ petitioners to communicate the server copy of this order together with a copy of the instant writ petition with all annexures to the respondent no. 3 for his information and immediate compliance.
16. The respondent no. 3 is directed to act on the basis of the server copies of this order.
17. Before parting with, it is further ordered that in respect of R.S/L.R Plot Nos. 1004, 1003, 976 and 977 in Mouza – Belguma the status quo be maintained by all concerned till passing and communication of the reasoned order by the respondent no. 3/authority.

18. With the aforementioned observation, the instant writ petition being **WPA 11640 of 2025** is disposed of.
19. Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance of all necessary formalities.

(Partha Sarathi Sen, J.)