

**03-06-
2025**
Item No.2
Subrata

Bhattacharyy
a
AR(C)

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side

WPA No.12173 of 2025
Gouranga Kamilya & Ors.

-vs-

The State of West Bengal & Ors.

Mr. K. C. Das
Mr. Sk. Sahjahan Ali ...for the petitioners

Mr. Swapan Banerjee
Ms. Sumita Shaw
Mr. Diptendu Narayan Banerjee
Mr. Soumen Chatterjee ...for the State

Mr. Rajib Kumar Acharya
Mr. Subimal Ghorai
Mr. Banshi Badan Maiti ...for respondents 7 & 8

The writ petition has been preferred challenging the legality of the order dated May 22, 2025, passed by the District Magistrate & Collector in a proceedings initiated under the West Bengal Public Land (Eviction of Unauthorised Occupants) Act, 1962 (in short, the 1962 Act).

According to the provisions of the 1962 Act, the Collector functions as the fact-finding authority, and a statutory appeal lies before the Commissioner of the Division against any order passed by the Collector. Therefore, in view of the availability of a statutory remedy, it would not be appropriate to entertain the present writ petition.

Accordingly, the writ petition stands dismissed, without any order as to costs.

However, this order shall not preclude the petitioners

from preferring an appeal before the appellate authority.

All parties are to act on the server copy of this order, duly downloaded from the official website of this Court.

Certified copy of this order, if applied for, shall be made available to the parties.

[Partha Sarathi Chatterjee, J]