

16.07.2025
Ct. 42
D/L 5
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**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE**

WPA 14309 of 2025

**Tapan Kumar Pal
-Vs-
The State of West Bengal & Ors.**

Mr. Srijib Chakraborty,
Mr. Purbayan Chakraborty,
Mr. Anish Gupta,
Mr. Akash Ghosh

... for the petitioner

Md. Mansoor Alam,
Ms. Priya Ghosal

... for the State

The matter is appearing under the heading “*To Be Mentioned*”.

Affidavit of service filed on behalf of the petitioner is taken on record.

The petitioner alleges of illegal construction of community latrine over the land of the petitioner by Malda Zilla Parishad, respondent no.3.

Mr. Srijib Chakraborty, learned advocate for the petitioner submits that the petitioner is the owner of a piece and parcel of land measuring a total area of 3 decimal situated in layout LR Plot No. 752 (corresponding to RS Plot No. 752), L.R. Khatian No. 1635 of Mouza- Chanchal (J. L. No. 70), Block- Chanchal-I, Police Station-Chanchal. The respondent

authorities, particularly, Malda Zilla Parishad has illegally occupied land of the petitioner and have undertaken illegal construction of community latrine on such land without proper acquisition of land through the land acquisition proceedings. Representation was made before the authority particularly, the District Magistrate & Collector, Malda, respondent no. 4 on 5th June, 2025 for redressal of his grievances. However, till date no steps have been taken. He seeks for a direction upon the respondent no. 4 to consider and dispose of the representation of the petitioner dated 5th June, 2025.

Mr. Md. Mansoor Alam, learned advocate for the State submits that the work of construction has already been stopped. He files a report furnished by the Inspector-in-Charge, Chanchal Police Station, Malda dated 5th July, 2025, which is taken on record.

Despite service, none appears on behalf of Malda Zilla Parishad.

Considering the submissions advanced by the parties, the District Magistrate & Collector, Malda, respondent no. 4 is directed to consider and dispose of the representation of the petitioner dated 5th June, 2025 within a period of two months from the date of communication of this order upon notice to the petitioner as well as all interested parties in accordance with law by a reasoned order. The reasoned order so

passed be communicated to the petitioner within a week thereafter.

Petitioner is directed to communicate this order to respondent no. 4, the District Magistrate & Collector, Malda.

It is made clear that this Court has not gone into the merits of the case.

Since no affidavits have been called for, the allegation made in the writ petition is deemed to be not admitted.

With the aforesaid directions, the writ petition being **WPA 14309 of 2025** is disposed of.

Interim order, if any, stands vacated.

All connected applications, if any, stand disposed of.

Urgent Photostat certified copy of the order, if applied for, be given to the parties on compliance of all necessary legal formalities.

(**Bivas Pattanayak, J.**)