

S/L 12  
15.07.2025  
Court No.17  
Susanta/  
Samar

IN THE HIGH COURT AT CALCUTTA  
CONSTITUTIONAL WRIT JURISDICTION

WPA 15077 of 2025

Sri Susanta Maity  
Vs.  
The State of West Bengal & Ors.

Mr. Gourab Ghosh,  
Mr. Kartick Das,

... for the Petitioner.

Mr. Ayan Banerjee,  
Mr. Amritlal Chatterjee,

.... for the State.

Mr. Ziaul Haque,  
Mr. Santimay Bhattacharyya,

.... for the Respondent no. 4.

Affidavit-of-service filed on behalf of the petitioner be kept with the record.

The petitioner is alleging that the private respondent no. 4 has encroached upon the public land comprised in Dag No. 178/224 under Mouza- Homegerey, Block- Chandrakona, District- Paschim Medinipur.

The petitioner has a pending representation before the District Magistrate, Paschim Medinipur, the respondent no. 2 herein, for removal of the said encroachment.

Learned advocate for the private respondent no. 4 submits that his client has no connection with the alleged public land as he is constructing his house on Dag no. 178/233 as per the plan sanctioned by the concerned Panchayat.

The prayer of the petitioner for removal of encroachment over public land is pending consideration before the respondent no. 2 and the said respondent, being an authority under the provisions of The West Bengal Public Land (Eviction

of Unauthorized Occupants) Act, 1962 is obliged to respond to it.

The said respondent, therefore is directed to dispose of the pending representation of the petitioner in accordance with law after giving the petitioner, the private respondent and all other concerned an opportunity of hearing.

The drill in this regard be completed as expeditiously as possible preferably within a period of eight weeks from the date of communication of this order.

In the event, it is found that there is an encroachment in the public land as alleged, the said respondent shall take steps for removal of it.

Since no affidavit has been invited, the allegations contained in the writ petition are deemed to have been denied by the respondents.

WPA 15077 of 2025 is disposed of with the above terms without any order as to costs.

Parties to act on the server copy of this order duly downloaded from the official website of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

**(Biswajit Basu, J.)**