

January 16, 2025
AD 40
Ct. 17
SG

WPA 18251 of 2024

Sk. Ismail
vs.
The State of West Bengal and others

Mr. Golam Mastafa
Mr. T.S. Samanta
Mr. Samirul Sardar
... for the petitioner

Mr. Amitava Chowdhuri
Ms. Indrani Nandi
... for the State

Mr. Salil Kumar Maiti
... for the respdt Nos.11 -13

Learned counsel for the petitioner submits that the private respondents had made some unauthorised encroachment on public land in front of the petitioner's raiyati land at plot No.969. For removal of such unauthorised construction in terms of the West Bengal Public Land (Eviction of Unauthorised Occupants) Act, 1962, the petitioner made a representation before the concerned authorities including the Sub-Divisional Officer, Haldia on 07.06.2024, but the same has not been responded to.

Learned counsel for the private respondents denies the allegations and submits that their property has not encroached any public land.

Learned counsel for the State submits that the public land in question is a portion at dag No.838. If a representation is pending, the same will be considered in accordance with law.

It appears that a representation dated 07.06.2024 is pending consideration before the Sub-Divisional Officer, Haldia.

In view of the above, let the respondent No.5 consider the representation of the petitioner dated 07.06.2024 in accordance with law and upon hearing the interested parties as expeditiously as possible, preferably within eight weeks from the date of communication of this order.

With these observations, the writ petition is disposed of.

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

(Jay Sengupta, J.)