

24.11.2025  
Item No.7  
Ct. No. 1  
KS

**W.P.A. (P) 320 of 2025**  
**Shanti Ganatantra Sanhati Mancha & Anr.**  
**Vs.**  
**The State of West Bengal & Ors.**

Ms. Gulsanwara Pervin  
.....For the Petitioners  
Mr. Jahar Lal De, Ld. A.G.P.  
Mr. Shamim Ul Bari  
.....For the State  
Mr. Debabrata Chatterjee  
Mr. Simanta Kabir  
.....For the Respondent Nos.4 to 5

**PER, PARTHA SARATHI SEN, J.:**

1. Parties are represented through their respective learned counsels.
2. At the very outset, learned counsel appearing on behalf of the respondent/Municipality submits before this Court that after receipt of the notice of the instant writ petition, it has come to the knowledge of the Municipal authority that the alleged encroachment is, *prima facie*, found to be on the P.W.D. road.
3. It is further submitted on behalf of the Municipality that the Municipality shall make best possible endeavour to remove encroachment in accordance with law.
4. On perusal of the petition under consideration and after hearing the learned counsels for the contending parties it reveals that it is the primary grievance of the

writ petitioners that despite submission of several representations, the Municipal authority vis-à-vis, the respondent/State and its instrumentalities are not taking appropriate steps for removal and/or demolition of all unauthorized and illegal permanent structure as has been allegedly erected on Government/Municipal land in Ward No.6 of Basirhat Municipality, which is adjacent to B.D.O. office and B. B. Bose Road.

5. In view of such, while disposing of this instant writ petition, this Court directs the respondent no.5 authority to consider a copy of the instant writ petition as a representation of the writ petitioners and after giving due chance of hearing to the writ petitioners and/or any stake holders, if there be any, shall pass a reasoned order and shall forthwith communicate the same both to the writ petitioners and/or any stake holders, if there be any.
6. The entire exercise, as indicated hereinabove, shall have to be completed by the respondent no.5 authority within 30 working days from the date of communication of the server copy of this order.
7. Liberty is given to the learned advocate on record for the writ petitioners to communicate the server copy

of this order and a copy of the instant writ petition to the respondent no.5 authority.

8. Before parting with, it is further made clear that in the event, the respondent no.5 authority while passing a said reasoned order, pass sufficient justification in the representation of the writ petitioners and he shall forthwith take appropriate steps for removal of the alleged encroachment from the Government/ Municipal land and in doing so, the respondent no.10 authority shall provide adequate police personnel for due execution of the order of removal, if there be any.
9. With the aforesaid observation, W.P.A. (P) 320 of 2025 is disposed of.
10. It is, however, made clear that while disposing the instant writ petition, we have not gone into the merits of the instant writ petition vis-à-vis the representation of the writ petitioners.
11. Urgent photostat certified copy of this order, if applied for, be furnished to the parties expeditiously upon compliance of all legal formalities.

**(SUJOY PAUL, ACJ.)**

**(PARTHA SARATHI SEN, J.)**