

S/L 11
10.09.2025
Court. No. 19
Suvayan

WPA 19093 of 2025

**Amit Mandal & Ors.
Vs.
The State of West Bengal & Ors.**

Mr. U. K. Jana

...for the petitioners.

Mr. Amitabrata Roy, G.P.

Mr. Subhabrata Das

Mr. Mrinal Kanti Ghosh

...for the State.

1. The affidavit-of-service as filed today on behalf of the writ petitioners is taken on record.
2. By filing the instant writ petition the writ petitioners have prayed for issuance of appropriate writ/writs against the respondents/authorities more specifically against the respondent no. 5/authority commanding him not to setup any pump house and/or water distribution system over the plot of land measuring about 43 decimals lying and situated at Mouza – Kanaichatta, J.L. no. 632 bearing L.R. plot nos. 13, 169, 170, 178, 180 within the jurisdiction of present P.S. at Contai in the district of Purba Medinipur.
3. At the time of hearing it is submitted on behalf of the writ petitioners that in respect of the aforementioned plot of land a lease deed was executed in favour of the predecessor-in-interest of the writ petitioners in the year 1952 for a period of one year with a provision for renewal of the said deed of lease from time to time. It is contended that even after expiry of the period of lease the predecessor-in-interest of the writ petitioners and

after his death the present writ petitioners are in possession of the said leasehold property and on 20.05.2022 the writ petitioner no. 1 has made a representation with the respondent no. 3/authority for grant of long term lease in favour of the writ petitioners.

4. It is submitted on behalf of the writ petitioners that on receipt of such representation dated 20.05.2022 the respondent no. 3/authority had called for a status report from the respondent no. 4/authority as would be revealed from page no. 69 of the instant writ petition being a copy of memo dated 20.06.2022.
5. It is further submitted that on receipt of the said status report a verbal assurance was given by the respondent no. 3/authority and on account of such verbal assurance the writ petitioners have deposited Rs. 3,48,000/- in the public exchequer by way of four separate challans as have been annexed at page nos. 72 to 75 of the instant writ petition.
6. It is thus submitted by Mr. Jana that in the event the respondents/authorities are permitted to allow to continue with the construction of setting up of pump house and/or water distribution system over the aforementioned plot of land the writ petitioners right to property is going to be infringed. It is thus submitted that appropriate relief/reliefs may be granted to the writ petitioners in terms of the prayers made in the instant writ petition.
7. *Per contra*, Mr. Das, learned Advocate appearing on behalf of the respondents/State places his reliance upon

the report dated 05.09.2025 as prepared by the respondent no. 3/authority which is filed today and is taken on record.

8. It is submitted by Mr. Das that from the said report dated 05.09.2025 it would reveal that it is the specific case of the respondents/authorities that the respondent no. 3 is not a competent person to grant long term lease rent since the property-in-question belongs to the irrigation and water-ways department. It is further submitted by Mr. Das that from the said report dated 05.09.2025 it would reveal that pursuant to a memo dated 10.10.2012 as issued by the Finance Department, Government of West Bengal collection of tax and non-tax revenues in favour of the State Government are being made through online that is that is Government Receipt Portal System (GRIPS) and such system was also incorporated into IFMS and integrated with e-Kuber portal of the Reserve Bank of India. It is thus submitted by Mr. Das that the photocopies of the challans are thus not genuine.
9. On careful perusal of the entire materials as placed before this Court and after hearing the learned Advocates for the contending parties it appears to this Court that no material has been placed before this Court on behalf of the writ petitioners that in respect of the aforementioned plot of land the writ petitioners have any right, title and interest at present.
10. On being asked by this Court, Mr. Jana, learned Advocate for the writ petitioners could not show any

scrap of paper indicating that any of the respondents/authorities have assured the writ petitioners regarding grant of alleged long term lease has prayed for.

11. It appears to this Court that the writ petitioners by filing the instant writ petition have made a frantic effort to stall the construction of water pump house which will be used for distribution of water in the locality, over a plot of land over which the writ petitioners have got no right, title and interest.
12. In view of such, this Court thus finds no merit in the instant writ petition. It rather appears to this Court that the instant writ petition has been filed with a *mala fide* attitude.
13. Accordingly, WPA 19093 of 2025 is dismissed with cost of Rs. 25,000/- which shall have to be deposited by the writ petitioners within 15 working days from today with Law Clerks' Welfare Trust Board, High Court at Calcutta.
14. Department is directed to forward a copy of this order to the Secretary, Law Clerks' Welfare Trust Board, High Court at Calcutta forthwith.
15. Urgent photostat certified copies of this order, if applied for, be supplied to the parties upon compliance with all the necessary formalities.

(Partha Sarathi Sen, J.)