

06
11.09.2025
d.p.

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A 18823 of 2025

**Idris Mollah & Ors.
-versus
The State of West Bengal & Ors.**

**Mr. Kaustav Banerjee,
Ms. Ria Kundu,
Mr. Imran Hossain Layek,
Mr. Munjel Alam.
...For the Petitioners.**

**Mr. Bikash Goswami.
...For the State.**

**Mr. Saikat Chatterjee.
...For the Respondent No.6.**

1. The petitioners have been found to have constructed illegally over Government plot of land. Notice has been given to the petitioners to vacate the plot.

2. The petitioners are aggrieved by the same.

3. According to the provisions of law, a private party is not legally entitled to raise construction over Government plot of land in the absence of any sanction or permission from the Government.

4. The petitioners rely upon the order of the Pradhan of the Gram Panchayat dated 17th January, 2024 in support of the submission that the Pradhan permitted the petitioners to hold on to the construction that has been made.

5. It appears that the Executive Magistrate, Rampurhat by an order dated 16th September, 2022

directed the Pradhan to measure the obstructed portion of the Government land.

6. According to the petitioners, the measurement was made without granting any opportunity to the petitioners.

7. Learned advocate appearing on behalf of the private respondent produces a copy of the order of the Sub-Divisional Officer, Rampurhat, Birbhum dated 18th August, 2025 wherefrom it appears that the police has been directed to remove the unauthorized construction that has been found.

8. The said order was passed upon compliance of the order passed by this Court on 31st July, 2025 in WPCRC 121 of 2025 arising out of WPA 7509 of 2023.

9. The official respondents would be bound to act strictly in terms of any order passed by this Court and remove all unauthorized encroachment over Government plot of land.

10. The writ petition stands disposed of.

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

(Amrita Sinha, J.)