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18.09.2025
Court No.17
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IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

WPA 20795 of 2025

Ferdousa Khatun

Vs.

The State of West Bengal & Ors.

*Mr. Sarbananda Sanyal,
Ms. Poulami Chakraborty,
Mr. Hamidur Rahaman*

...for the Petitioner.

Ms. Jyotsna Roy Mukherjee

...for the State.

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

In spite of service none appears on behalf of the private respondent no. 7.

The petitioner is alleging that she is the owner of L.R. Plot No. 16, in front of which public land comprised in L.R. Plot No. 14 is situated. Nazrul Islam being the respondent no. 7 herein has encroached upon the said public land and has put up a structure thereon. The petitioner is praying removal of the said encroachment and structure from the said public land.

Ms. Roy Mukherjee, learned advocate for the State files two reports, one of the Assistant Director and Block Land and Land Reforms Officer, Raninagar – II, District – Murshidabad dated September 11, 2025 and the other by the Officer-in-Charge of Raninagar Police Station dated September 14, 2025; let those reports be kept with the record.

From the report of the said Assistant Director and Block Land and Land Reforms Officer, it appears that the L.R. Plot No. 14 is recorded in favour of the Collector's Khatian (Khatian No. 1) and has been classified as 'Dahar'.

The report of the said Officer-in-Charge says that there is a grocery shop over the said public land.

It appears from the record that the petitioner has a pending application dated August 04, 2025 before the Sub-Divisional Officer, Domkal, District – Murshidabad, the respondent no. 3 herein, for removal of the encroachment on the said public land and demolition of the structure thereon.

The respondent no. 3 is directed to dispose of the said application in accordance with the provisions of the West Bengal Public Land (Eviction of Unauthorized Occupants) Act, 1962, after affording opportunity of hearing to the petitioner, the respondent no. 7 and all concerned as expeditiously as possible, preferably within a period of eight weeks from the date of communication of this order.

W.P.A. 20795 of 2025 is disposed of with the above terms without any order as to costs.

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

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 of all requisite formalities.

(Biswajit Basu, J.)