

17-09-2025
Item No.13
Subrata
Bhattacharyya
AR(C)

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
Appellate Side

WPA No.21927 of 2025
Goutam Bhakat
-vs-
The State of West Bengal & Ors.

Ms. Rita Patra ...for the petitioner

Mr. Sandip Mondal ...for the State

Mr. Ganesh Shrivastava
Mr. Sukanto Das ...for the private respondents

1. The petitioner claims to have certain rights over RS plot nos.110 and 111, JL No.168 in Mouza Cantonment Barpathar, Ward No.4 under the Paschim Medinipur Municipality.
2. Allegation is that the private respondents are conducting Durga Puja by encroaching upon the aforesaid plots of land. The petitioner has prayed for a direction upon the respondent authorities not to grant any permission to the private respondents to conduct Durga Puja over RS plot no.112(P).
3. The petitioner has not been able to produce any evidence to show that the petitioner has any claim over RS plot no.112(P).
4. Learned counsel for the private respondents categorically denies that the private respondents are encroaching upon any plot of land belonging to the petitioner. Specific stand of the private respondents is that they are conducting puja without encroaching the land of the petitioner.

5. Whether the puja is being performed upon encroaching the land of the petitioner is a disputed question of fact. The same cannot either be ascertained or adjudicated by the writ Court.
6. In view of the above, no relief can be granted to the petitioner in the instant writ petition. The writ petition thus fails and is hereby dismissed.
7. The private respondents are, however, directed to conduct the Durga Puja strictly over their plot of land by not encroaching upon any land of any private party.
8. Leave is granted to the learned advocate representing the private respondents to file the vakalatnama on their behalf in the department in course of today.
9. All parties are to act on the server copy of this order duly downloaded from the official website of this Court.
10. Certified copy of this order, if applied for, shall be made available to the parties.

[Amrita Sinha, J]

