

Sl. 16
04.12.2025
Court No.19
BP

WPA 21988 of 2025

Sri Samir Kumar @ Samir Modak
-versus-
The State of West Bengal & Ors.

Mr. Partha Pratim Roy
Mr. Samrat Chakraborty
..for the petitioner

Mr. Amit Gupta
Ms. Mousumi Banerjee
..for the State

The petitioner claims to have purchased a portion of R.S. Dag No. 130 within Mouza Laskarhat under Police Station Sonarpur in the District of 24 Parganas (South). The petitioner states that though a portion of the original plot was acquired and the petitioner has purchased a portion of the said plot which has not been acquired. The grievance of the petitioner is that the petitioner is not being allowed to enjoy his purchased property in spite of the fact that the said plot is not the subject matter of any acquisition proceedings. The petitioner prayed for a writ of mandamus directing the authorities to demarcate the acquired portion of the plot in question so that the petitioner can enjoy his purchased portion without any interference from the respondent authorities.

Mr. Roy, learned advocate appearing for the petitioner submits that unless such demarcation is made the petitioner is deprived from enjoying his purchased property.

The learned advocate appearing for the State files a report of the Special Land Acquisition Officer, South 24 Parganas dated 2nd December, 2025 wherein it has been specifically stated that R.S. Plot number corresponding to C.S. Plot No. 130 is 130.

The status report dated November 28, 2025 has been filed by the Special Land Acquisition Officer, 24 Parganas (South) and in the said report it has been stated that notification was issued for an area measuring about 64.85 acres including the total area of C.S. Plot No. 130 of Mouza Laskarpur J.L. No.67 along with other plots of Mouza Sripur Bagharghol, Kamdahari and such notification was published in the Calcutta Gazette vide no. 21714-LA dated November 8, 1955. The report further states that the possession was delivered on May 1, 1955 to Refugee Rehabilitation Commissioner, Government of West Bengal and also payment of compensation at agreed rate has been made.

After going through the status report this Court finds that C.S. Plot No. 130 was acquired and the petitioner claims to have purchased a portion of R.S. Dag No. 130. Though initially a doubt was expressed by Mr. Roy, learned advocate for the petitioner that C.S. Plot No. 130 and R.S. Plot No. 130 are not the same but Mr. Roy upon taking specific instructions from his client, does not dispute the fact that R.S. Plot No. 130 corresponds to C.S. Plot No. 130. It is not in dispute that the petitioner

purchased a portion of R.S. Dag No. 130 long after a C.S. Plot No. 130 was acquired and such property stood vested to the State. Thus no right, title, interest or possession could have accrued in favour of the petitioner by virtue of any deed of conveyance executed by any person in favour of the petitioner.

For all the reasons as aforesaid, this Court is not inclined to grant any relief to the petitioner.

Accordingly, WPA 21988 of 2025 stands dismissed.

There shall be, however, no order as to costs.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Hiranmay Bhattacharyya, J.)