

D/L 34
15.05.2025
Court No.14
PRADIP

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

WPA 23442 of 2024

Suranjan Sinha
Vs.
Bharat Petroleum Corporation Limited (BPCL) & Ors.

Ms. Manali Biswas
...for the Petitioner.

Mr. Md. Ahsanuzzaman
Ms. Dipa Bhattacharya
...for the State.

Mr. Puspendu Chakraborty
...for the BPCL.

Mr. Rwitendra Banerjee
Mr. Shibasis Chatterjee
...for the Private Respondent.

1. Learned advocate for the petitioner relies upon the R.S. Parcha in support of the submission that some portion of the subject land falls within the municipal area and not within the panchayat area.
2. Report of the District Magistrate & Collector, however, clearly mentions that the land falls within the panchayat area.
3. Learned advocate representing the private respondent submits that the private respondent purchased the plot of land disclosing the same to be a panchayat land and has paid stamp duty relying on the assessment made in respect of panchayat land.
4. Be that as it may, the factual disputes as raised by the petitioner cannot be entered into or decided by the writ Court.

5. Accordingly, the District Magistrate and Collector is directed to afford a further opportunity of hearing to the petitioner and the private respondent to produce documents in support of their respective stand as to whether the land falls within the area of the panchayat or the municipality.
6. The decision of the District Magistrate and Collector shall be final and binding upon the parties.
7. It will be open for the petitioner to approach the District Magistrate within a week from date by filing a representation with supporting documents. A decision shall be taken by the District Magistrate within a period of four weeks thereafter.
8. It will be open for the District Magistrate to take the assistance and consult records maintained in the office of the concerned Block Land & Land Reforms Officer in this regard.
9. The writ petition stands disposed of.
10. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all the requisite formalities.

(Amrita Sinha, J.)