

27.11.2025
Court No.551
Item No.319
sudipta

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE**

W.P.A. 25256 of 2025

**Marjil Shaikh & Anr.
Vs.
The State of West Bengal & Ors.**

Mr. Debabrata Mondal
Ms. Sreetama Neogi
Mr. Chinmoy Mukherjee

...for the petitioners

Mr. Susanta Pal
Mr. S. M. Hassain

..for the State

Mr. Shahan Shah
Mr. Soumen Barman
Mr. Umenun Khan

..for the respondent no.8

1. Affidavit of service filed today be kept with the record.
2. The petitioners allege the inaction on the part of the Sub-Divisional Magistrate/Sub-Divisional Officer, Berhampore in considering their representation against unauthorized occupation of Government Land.
3. It is submitted by the petitioners that complaining against inaction on the part of the respondent State authorities, the petitioners had approached this Court earlier as well, by filing WPA 7243 of

2024 which was disposed of by a Co-ordinate Bench of this Court by an order dated January 28, 2025 thereby granting opportunity to the petitioners to make appropriate representation before the relevant Sub-Divisional Officer within two weeks from the date of the order and the concerned Sub-Divisional Officer was directed to consider the representation so made in accordance with law upon hearing the interested parties as expeditiously as possible within eight weeks of making of such representation. It is submitted that the petitioners made such representation on February 11, 2025 but no step has yet been taken by the Sub-Divisional Officer, Berhampore, Murshidabad thereon.

4. Since there is a direction of this Court, directing the Sub-Divisional Officer to consider and dispose of the petitioners' representation in accordance with law and upon hearing the interested parties, within a specific time frame, the Sub-Divisional Officer, Berhampore (i.e. the Respondent No. 7) should not have kept the petitioners' representation pending.
5. In such view of the matter, the respondent no.7 i.e. the Sub-Divisional Officer, Berhampore, Murshidabad, is directed to consider and dispose

of the petitioners' representation dated February 11, 2025 (Annexure P7 at page 39 of the writ petition) within a period of four weeks from the date of communication of this order, in accordance with law, by passing a reasoned order, upon affording an opportunity of hearing to all the interested parties as directed by this Court by its order dated January 28, 2025 passed in WPA 7243 of 2024.

6. Needless to mention that the reasoned order disposing of the petitioners' representation, as aforesaid, shall be communicated to all the parties within a week from the date of passing thereof.
7. Since no affidavits have been invited, all allegations made in this writ petition shall be deemed not to have been admitted.
8. WPA 25256 of 2025 stands disposed of with the above observations.

(Om Narayan Rai, J.)