

20.02.2025
Item No.15
RP/SG
Ct. No.01

WPA(P) 460 OF 2024

**Pradip Kumar Mondal
VS.
The State of West Bengal & Ors.**

Mr. Sabyasachi Chatterjee
Mr. Debdip Mandal

....For Petitioners

Mr. Jaharlal Dey, Ld. AGP
Mr. Shamim-ul-Bari

....For State

1. By filing this public interest litigation the petitioner alleges that the land belonging to the Public Works Department in Dag No.856, Mouza-Gangasagar, opposite side of Gangasagar Gram Panchayat and adjacent no JL No.038, Khatian No.3454, LR Dag No.856 has been encroached by the private respondents.
2. Learned advocate appearing for the State points out from the Record of Rights that the said land has been registered as rayati land. If that be so the question of issuance of any direction for removal of any construction put on the said land could not arise.
3. Learned advocate appearing for the petitioner submitted that PWD land is adjacent to the said land. If that be so, the petitioner should give an appropriate representation clearly indicating the place where alleged encroachment of PWD land is done and furnishing full

details including the plot number and preferably a sketch indicting the land encroached.

4. In the aforesaid fact, for the present no direction can be issued in the writ petition. However, liberty is granted to the writ petitioner to file a fresh representation before the authority giving full particulars, which shall be dealt with in accordance with law.
5. The writ petition is, thus, disposed of.

(T.S. SIVAGNANAM)
CHIEF JUSTICE

(CHAITALI CHATTERJEE (DAS), J.)