

15.12.2025  
Item No.31  
Ct. No. 1  
KS

**W.P.A. (P) 492 of 2025**  
**Shibu Roy Barma**  
**Vs.**  
**The State of West Bengal & Ors.**

Mr. Tanmoy Basu

.....For the Petitioner

Mr. Jahar Lal De, Ld. A.G.P.

Mr. Shamim Ul Bari

.....For the State

**PER, PARTHA SARATHI SEN, J.:**

1. Writ petitioner and the respondent/State are represented through their respective learned counsels.
2. At the very outset, learned counsel appearing on behalf of the writ petitioner draws our attention to the prayers made in the instant writ petition.
3. It is fairly submitted on behalf of the writ petitioner that for the present, the writ petitioner is not pressing the 'Prayer – A' since, the appropriate authorities have effected for mutation in respect of the acquired land particulars of which has been mentioned in Prayer – A of the instant writ petition.

4. It is contended that despite submission of repeated representations, the appropriate authorities, who are the respondents herein, have not taken any step for eviction of unauthorized occupants/encroachers under the West Bengal Public Land (Eviction of Unauthorized Occupants) Act, 1962 (hereinafter referred to as “the said Act”).
5. In course of his submission Mr. De, learned counsel, in his usual fairness, submits before this Court that the appropriate authorities of the respondents may be directed to consider the representation of the petitioner, in accordance with law. However, from the materials, as placed before this Court it would reveal that no such representation is pending.
6. In view of the submissions made at the Bar, we while disposing of the instant writ petition, permit the writ petitioner to submit a comprehensive representation with regard to the allegations, as has been mentioned in paragraph – b of the instant writ petition with the

jurisdictional S.D.O. preferably within 15 working days from today.

7. The jurisdictional S.D.O. is directed to cause service of notice to all the stake holders including the petitioner and after giving due opportunity of hearing both to the writ petitioner and/or other stake holders, if there be any, and/or their authorized representatives shall pass a reasoned order and shall forthwith communicate such reasoned order to the writ petitioner and the other stake holders.
8. The entire exercise, as indicated hereinabove, shall have to be completed by the jurisdictional S.D.O. within 60 working days from the date of receipt of the fresh representation from the writ petitioner alongwith a server copy of this order.
9. The time limit, as fixed by this Court, is peremptory and mandatory.
10. Before parting with, it is, however, made clear that in the event, while passing the reasoned order, the jurisdictional S.D.O. finds sufficient

merit in the representation of the writ petitioner,  
he is directed to act, in accordance with law.

11. With the aforementioned observation, W.P.A. (P)  
492 of 2025 stands disposed of.

12. It is, however, made clear that while disposing of  
the instant writ petition, we have not gone into  
the merits of the allegation, as raised by the writ  
petitioner and thus, all points are kept open  
before the jurisdictional S.D.O.

13. Liberty is given to the learned advocate on  
record of the writ petitioner to communicate the  
server copy of this order to the jurisdictional  
S.D.O., who is directed to act on the server copy  
of this order.

14. Urgent photostat certified copy of this order, if  
applied for, be furnished to the parties  
expeditiously upon compliance of all legal  
formalities.

**(SUJOY PAUL, ACJ.)**

**(PARTHA SARATHI SEN, J.)**