

25.03.2025
sayandeep
Sl. No. 48
Ct. No. 28

WPA 27120 of 2024

Saiyad Ajijul Hossain @ Saiyad Azizul Hossain
Versus
The State of West Bengal & ors.

Mr. Robiul Islam
Sk. Jayed Hossain

.....for the petitioners

Mr. Samimul Bari
Mr. Sajal Kr. Pandit

.....for the State

Mr. Uttam Kr. Bhattacharyya

.....for the respondent Nos. 9 & 10

Affidavit-of-service filed today be kept on record.

The petitioner seeks issuance a writ of mandamus commanding the respondent to grant long term lease of a portion of Government plot No. 194 in favour of the petitioner immediately upon completion of all formalities to enable the petitioners to have access to his land being plot No. 200. Learned advocate appearing for the petitioner submits that he has made an application before the Sabhadhipati, Purba Medinipur Zilla Parishad for the aforesaid purpose which has not been considered as yet.

Learned advocate appearing for the respondent Nos. 9 and 10 submits that the Zilla Parishad has no authority to take any decision on the grant of long terms lease.

Learned advocate appearing for the State respondent Nos. 1 to 8 submits that the writ petition is

incompetent today because no approach has been made to the appropriate authority for grant of lease.

I have heard the learned advocates appearing for the respective parties and perused the materials on record. It appears from the perusal of the prayers of the writ petition that the same cannot be entertained inasmuch as no writ of mandamus can be issued to any Government authority for grant of long term lease. However, the writ petitioner would be free to make an application before the appropriate authority requesting the authority to consider his case for grant of long term lease. The relevant authority would be free to take a decision as to whether long term lease as requested should be granted or not, in accordance with law.

With the above observations, the writ petition is disposed of.

(Om Narayan Rai, J.)