

Court No. 19
(265719)

04.12.2025
(AD 7)
(S. Banerjee)

WPA 26927 of 2025

Prasanta Chatterjee
Vs.
The State of West Bengal & Ors.

Mr. Partha Pratim Roy
Ms. Poulami Chakraborty
Mr. Samrat Chakraborty

...for the petitioner

Mr. Tanmoy Kumar Ghosh
Mr. Khairul Alam

...for the State

Affidavit of service filed in Court today, is taken
on record.

The petitioner claims to be the recorded owner
of LR Dag No. 1991 within Mouza – Gangpur under
Police Station Bardhaman in the district of Purba
Bardhaman. The petitioner alleges that on and from
the month of February, 2025, the men and agents of
the respondent authorities have started construction
of solar submersible, overhead tank, pipeline, soak pit
etc. on a portion of the aforesaid plot of land of the
petitioner. Petitioner submitted various
representations to the authorities but no steps have
been taken by the respondent authorities on the basis
of the complaints made by the petitioner.

Mr. Roy, learned advocate appearing for the petitioner submits that the petitioner is the recorded raiyat in respect of the aforesaid plot and the property of the petitioner is sought to be utilised by the respondent authorities without initiating any proceeding for requisition and/or acquisition.

Heard the learned advocates for the State. He files a copy of the report of the Inspector in-Charge of Bardhaman Police Station dated December 4, 2025.

From the Record of Rights annexed to this writ petition it appears that a portion of LR Dag No. 1991 measuring about 17 decimals has been recorded in the name of the petitioner.

From a letter dated March 4, 2025 issued by the Pradhan and addressed to the petitioner, it appears that the construction is being done by the Purba Bardhaman Zilla Parishad.

Learned advocate appearing for the State submits that such construction is being made on plot no. 1901 beside Ghosh Pukur on plot no. 1993, and not on plot no. 1991.

Such fact is disputed by the learned advocate appearing for the petitioner. He submits that in the representation there was a typographical error while

mentioning the plot number and it was wrongly mentioned as plot no. 1901 but in the letter submitted before the Pradha, the plot no. was correctly mentioned as plot no. 1991.

Be that as it may, the question that falls for consideration is whether the property of the petitioner being LR Dag no. 1991 has been utilised for any public purpose without acquisition or requisition.

Since the petitioner has submitted representation dated August 26, 2025 before the District Magistrate, Purba Bardhaman being the 2nd respondent, this writ petition stands disposed of by directing the 2nd respondent to consider the representation of the petitioner dated August 26, 2025 and to dispose of the same by passing a reasoned order after giving an opportunity of hearing to the petitioner or his authorized representatives and communicate the reasoned order as expeditiously as possible, but positively within a period of six weeks from the date of receipt of a server copy of this order along with a copy of the representation dated August 26, 2025.

It is, however, made clear that in the event the 2nd respondent arrives at a finding that the property of the petitioner has been utilised without initiating

any proceeding for requisition or acquisition,
necessary steps in accordance with law shall be taken
immediately thereafter.

(Hiranmay Bhattacharyya, J.)