

Item.27

07.02.2025
ssi

Ct. 17

WPA 30146 of 2024

Sudhir Chandra Mal

-vs-

The State of West Bengal & others.

Mr. Shahan Shah
Ms. Aninda Bhattacharya
Mr. S. Sarkar
Mr. S. Barman
Mr. K. P. Santra

...for the petitioner
Mr. Soumitra Bandyopadhyay
Mr. Subhasis Bandyopadhyay
...for the State respondents

Affidavit of service filed on behalf of the petitioner is taken on record.

It appears that all private respondents were served with notice except for the respondent no.11.

Learned counsel appearing on behalf of the petitioner submits as follows. The private respondents had come up with illegal and unauthorized construction on government land belonging to the Irrigation and Waterways Department near the petitioner's property. This is blocking the ingress and egress to the petitioner's property. Accordingly, the petitioner made a representation on 25.11.2024 before the concerned authorities for taking action in terms of the West Bengal Public Land (Eviction of Unauthorized Occupants) Act, 1962. Yet, the same has not been responded to.

It does not appear that a representation has been made before the concerned SDO as per the Act of 1962.

In view of the above, the petitioner shall be at liberty to make a proper representation in this regard seeking relief before the concerned SDO in accordance with law. If the same is made within two weeks from this date, the concerned SDO shall consider the same in accordance with law and upon hearing all the interested parties as expeditiously as possible, preferably within eight weeks from the date of receipt of such representation.

It is clarified that the merits of the case have not been gone into.

With these observations, the writ petition is disposed of.

As affidavits were not called for, the allegations made in the writ petition are deemed not to have been admitted.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Jay Sengupta, J.)