

08 15.01.2025  
NB Ct. 17

**WPA 292 of 2025**

Tapan Kanti Bera  
Vs.  
The State of West Bengal & Ors.

Mr. Salil Kumar Maiti.  
...for the petitioner.

Mr. Rajarshi Basu,  
Mr. K. M. Hossain.  
...for the State.

Mr. Golam Mastafa,  
Mr. Tarasankar Samanta.  
...for the respondent nos.11 to 15.

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

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is the owner of some portion of LR Plot No.1190. In the nearby plot being LR Plot No.1189, which belongs to the Department of Irrigation and Waterways, the private respondents had come up with an unauthorised construction. The petitioner had made a representation on 08.01.2024 in this regard before the respondent authorities. But, no steps have been taken till date. Let appropriate action be taken in terms of the West Bengal Public Land (Eviction of Unauthorised Occupants) Act, 1962.

Learned counsel appearing on behalf of the private respondents denies the allegations and submits as follows. The private respondents are also the owners of part of LR Plot No.1190. However, the private respondents have not come up

with any unauthorised construction in respect of LR Plot No.1189.

Learned counsel appearing on behalf of the State submits that if a representation had been made before the concerned authorities, the same would be decided in accordance with law.

It appears that a representation dated 08.01.2024 is pending consideration before the respondent authorities.

In view of the above, the writ petition is disposed of by directing the Sub-Divisional Officer, Tamluk to consider the representation dated 08.01.2024 in accordance with law and upon hearing the interested parties as expeditiously as possible, preferably within a period of eight weeks from the date of communication of this order.

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

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

**(Jay Sengupta, J.)**