

23
30.04.2025
d.p.

**Calcutta High Court
In the Circuit Bench at Jalpaiguri
Appellate Jurisdiction**

**W.P.A. 305 of 2025
IA No. CAN 1 of 2025**

**Ratan Chandra Das
-versus
The State of West Bengal & Ors.**

**Mr. Bhaskar Roy Mahasaya,
Ms. Ambalika Ghosh.
...For the Petitioner.**

**Mr. Hirak Barman,
Mr. Bikash Singha.
...For the State.**

1. The petitioner is aggrieved by the show cause notice dated 16th January, 2025 issued by the Block Land and Land Reforms Officer, Cooch Behar-I under Section 4 of the West Bengal Public Land (Eviction of Unauthorized Occupants) Act, 1962.
2. The petitioner challenges of jurisdiction and authority of the Block Land and Land Reforms Officer, Cooch Behar to issue the show cause notice.
3. As per the Act notice to show cause can be issued by the Collector.
4. The Collector as defined in the Act includes the chief officer-in-charge of the Revenue Administration of the District, the Additional District Magistrate and Sub-Divisional Officer and any Executive Magistrate specially appointed by the State Government to perform all or any of the function of the Collector under the Act.

5. In the instant case, the show cause notice has been issued by the Block Land and Land Reforms Officer who is not covered under the definition under Section 2(1)(b) of the Act.
6. In view of the above, the impugned show cause notice is set aside.
7. It will be open for the competent authority to take steps in accordance with law.
8. Instruction forwarded by the Sub-Divisional Officer, Sadar, Cooch Behar is taken on record.
9. The writ petition stands disposed of.
10. Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Amrita Sinha, J.)