

Form No.J(2)
Serial No.50
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**CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE**

**Present :
The Hon'ble Justice Aniruddha Roy**

WPA 1782 OF 2025

Sima Sil Sharma

Vs.

The State of West Bengal & Ors.

For the Petitioner : Mr. Deborshi Dhar, Adv.
Ms. Taniya Bhowmik, Adv.

For the Respondents/
State : Mr. Subir Kumar Saha, AGP
Mr. Hirak Barman, Adv.

Heard on : September 3, 2025

Judgment on : September 3, 2025

Aniruddha Roy, J. :

1. Affidavit-of-service, filed in Court today, is taken on record.
2. Mr. Deborshi Dhar, learned Advocate for the petitioner.
3. Mr. Subir Kumar Saha, learned Additional Government Pleader with Mr. Hirak Barman, learned Advocate appears for the respondents State.

4. Learned Advocate for the petitioner has drawn attention of this Court to the order of the coordinate Bench dated **September 23, 2024, Annexure-P7 at page 26** to the writ petition passed by the coordinate Bench in the previous round of writ litigation. He then draws attention of this Court to the communication dated **October 4, 2024, Annexure-P8 at page 28** to the writ petition issued by the respondent no.5.
5. It appears from the said communication dated **October 4, 2024** that the steps have to be taken in terms of the claim made by the petitioner for long term settlement of the subject land following the relevant policy decision of the State.
6. Learned Advocate for the petitioner submits that thereafter no further step has been taken and the matter rests at that stage.
7. This Court has been informed that, Principal Secretary, Department of Land and Land Reforms and Refugee Relief and Rehabilitation Department is the appropriate authority through whom the State has been impleaded in this writ petition to take the appropriate decision.
8. In view of the above, the said Principal Secretary as described against the respondent no.2 in the cause title, shall decide the issue in the light of the prevailing policy decisions of the State and then shall pass a reasoned order in accordance with law and inform the same to the petitioner.
9. The entire exercise shall be carried out and completed by the said Principal Secretary within **three months** from the date of communication of this

order. Within the said period the decision of the Principal Secretary shall also be communicated to the petitioner.

10.It is made clear this Court has not gone into the merits of the writ petition or the claim of the petitioner and the Principal Secretary shall take his decision independently in the light of the prevailing policy decision of the State but in accordance with law.

11.Since affidavits are not called for, the allegations made in this writ petition are deemed not to have been admitted by the respondents.

12.With the above observations and directions this writ petition, **WPA 1782 of 2025** stands ***disposed of***, without any order as to costs.

13.Parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Aniruddha Roy, J.)