

21.01.2026
rc/ct.no.05
Item No.12

WPA No. 468 of 2026
Sagir Ahmed
Versus
The State of West Bengal & Ors.

Mr. Bidyut Kumar Halder
Mr. Indranil Halder
Ms. Neha Singh ..for the Petitioner

Mrs. Rupsha Chakraborty ...for the State

Report submitted by the State is taken on record.

The petitioner complains that his land in Mouza – Pharpur, J.L.No. 06, R.S.Khatian No. 310 and 304, L.R. Khatian No. 310, R.S.Dag No. 234/580 under police station Rabindranagar has been illegally encroached upon by the State authorities though the same has not been acquired in accordance with law.

Learned counsel for the petitioner submits that the petitioner has raised a boundary wall in the said land and seeks to construct a pucca boundary wall in a portion of the premises. He alleges that the police authority is restraining him from doing so.

It appears from the report submitted by the State that it has been informed by the Block Land and Land Reforms Officer, Thakurpukur Block that Dag No. 234/80 is identical to Dag No. 580 and no separate dag being no. 234/580 exists. According to the report, the

said dag has been acquired and is part of the State Government's Land Procurement Programme.

It appears that challenging the said acquisition, the petitioner has filed a writ petition which is being dealt with by a coordinate Bench of this Court.

Since the issue as to whether the land of the petitioner has been acquired by due process of law or has been illegally encroached upon is subjudice before the coordinate Bench, the petitioner is not entitled to raise a boundary wall in any portion of the property in dispute until the issue pending before the coordinate Bench is decided.

In view of the above, this Court is inclined to hold that the writ petition is devoid of any merits and accordingly dismissed.

There shall, however, be no order as to costs.

Since no affidavit is invited, the allegations contained in the writ petition are deemed not to have been admitted.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh,J)