

**IN THE HIGH COURT AT CALCUTTA**  
**Constitutional Writ Jurisdiction**  
**Appellate Side**

Ct.551    **19.02.26**  
D/L.  
Item No.900  
(Samar)

**WPA 631 of 2026**

**Nasim Alam & Anr..**

**Vs**

**The State of West Bengal & Ors.**

Mr. Raj Kumar Saik,

...for the petitioners.

Mr. Tanmoy Kumar Ghosh,

Mr. Mrinal Kanti Biswas,

....for the State.

Ms. Sujata Das,

Mr. Kaustav Banerjee,

Ms. Pia Kundu,

.... for the Private Respondent.

1. This writ petition alleges inaction on the part of the respondents State authorities in taking steps for removal of encroachment over Government/Public Land.
2. Learned advocate appearing for the petitioner invites the attention of this court to a representation dated December 16, 2025 and submits that despite such representation having been made, the respondent State authorities have not taken any step to remove the encroachment over Government Land. The writ petition appears to be over ambitious. It has been filed without even waiting for a month from the date of making the said representation. In such view of the matter, no peremptory direction can be passed in the writ petition.

3. However, it is recorded that it has been submitted by the learned advocate appearing for the State Authorities on the basis of a status report prepared by the Executive Engineer, Mahananda Embankment Division, Irrigation and Waterways Directorate i.e. the respondent no. 4 that the Sub-divisional Officer i.e. Chanchal, District-Malda has already taken steps on the basis of the petitioners' representation.
4. In such view of the matter, no further order needs to be passed in this writ petition excepting that the Sub-Divisional Officer concerned shall take appropriate steps for removal of any encroachment of Government Land strictly in accordance with law upon affording an opportunity of hearing to all concerned including the petitioner and the respondent no. 7 to 32.
5. It is also recorded that the learned counsel appearing for the respondent nos. 7 to 32 has submitted that the petitioners allegations are baseless and that this writ petition has been filed only for the purpose of settling private scores and harassing the respondent nos. 7 to 32. The respondent nos. 7 to 32 shall be free to state their respective cases before the Sub-Divisional Officer i.e. the respondent no. 3. It is clarified that the respondent no. 3 shall initiate appropriate

proceedings for the purpose of removal of encroachment only if the said respondent is satisfied that the petitioners' allegations have substance and not otherwise.

6. In case any such proceeding is initiated, all parties including the petitioner and the respondent nos. 7 to 32 shall be adequately heard before passing of the final order.

7. WPA 631 of 2026 stand disposed of with the above observations. No costs.

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

***(Om Narayan Rai , J.)***