

22.01.2026
Item No.29
Ct. No.1
KS

W.P.A. (P) 6 of 2026
Madhu Naskar
Vs.
The State of West Bengal & Ors.

Mr. Pradip Kumar Kundu
Mr. Kingshuk Mondal
.....For the Petitioner

Mr. K. J. Yusuf
Mr. Saurav Chaudhuri
.....For the State

Mr. Arjun Roy Mukherjee
Mr. D. Mitra
.....For the W.B.P.C.B.

Mr. Rajeswari Prasad
Mr. Uday Sharma
.....For the Pvt. Respondent No.11

PER, PARTHA SARATHI SEN, J.:

1. Affidavit-of-service filed today on behalf of the writ petitioner is taken on record.
2. The writ petitioner, the respondent/State, the respondent no.3 and the private respondent no.11 are represented by their respective learned counsels.
3. By filing the instant writ petition, the writ petitioner has prayed for issuance of appropriate Writ/Writs against the respondent authorities, more specifically against the respondent no.2 authority commanding him to take appropriate steps for stopping of operation of illegal and unauthorized brick field on the Government land as has been recorded in Khatian

No.282 under Mouza – Achipur, District – South 24 Parganas measuring about 6.17 acre.

4. At the time of hearing, learned counsel appearing on behalf of the writ petitioner draws our attention to the various averments made in the instant writ petition. It is submitted that it is the specific case of the writ petitioner that the private respondent no.11 unauthorizedly encroached the lands in Khatian No.282, which is recorded in the name of the Irrigation Department, Government of West Bengal and they have illegally set up a brick field there as well as a chimney without obtaining any license from the appropriate authority.
5. It is submitted that on 08.12.2025, the writ petitioner made a representation before the respondent authorities regarding the alleged encroachment at the instance of the private respondent no.11 but, in vain.
6. Such contention is, however, opposed by the learned counsel for the private respondent no.11.
7. On being asked by this Court, learned counsel for the State fairly submits before this Court that the instant writ petition may be disposed of by directing the respondent no.2/Committee headed by the District Magistrate, South 24 Parganas, Alipore to consider

the representation dated 08.12.2025 in accordance with law and after giving due chance of hearing both to the writ petitioner as well as to the private respondents and/or their authorized representatives.

8. In view of the submission made at the Bar, this Court directs the respondent no.2/Committee headed by the District Magistrate, South 24 Parganas, Alipore to consider the representation dated 08.12.2025 in accordance with law after giving due opportunity of hearing both the writ petitioner as well as to the private respondent and/or their authorized representatives.
9. The said District Magistrate is further directed to obtain field verification report and thereafter to pass a reasoned order on the representation dated 08.12.2025 and shall forthwith communicate the same both the writ petitioner and the private respondents and/or their authorized representative.
10. The entire exercise, as indicated hereinabove, shall have to be completed within 60 days from the date of receipt of server copy of this order.
11. The time limit, as fixed by this Court, is peremptory and mandatory.

12. Before parting with, it is, however, made clear that in the event, while passing the reasoned order, the respondent authorities finds sufficient merit in such representation of the writ petitioner, they are directed to act, in accordance with law forthwith.
13. With the aforementioned observation, W.P.A. (P) 6 of 2026 is disposed of.
14. Liberty is given to the learned advocate on record for the writ petitioner to communicate the server copy of this order to the jurisdictional District Magistrate. The District Magistrate, Alipore is directed to act on the basis of server copy of this order.
15. It is further made clear that while disposing the instant writ petition, we have not gone into the merits of the representation dated 08.12.2025 and thus all points are kept open before the respondent authorities.
16. Urgent photostat certified copy of this order, if applied for, be furnished to the parties expeditiously upon compliance of all legal formalities.

(SUJOY PAUL, CJ.)

(PARTHA SARATHI SEN, J.)