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jdt. 30.06.2026
jb.

WPA 3008 of 2026
(Monoranjana Makhal & Ors. vs. State of West Bengal
& Ors.)

Mr. Sabyasachi Chatterjee

Mr. Sarajit Roy

Mr. Aritra Ghosh

.... For the Petitioners

Mr. Madhu Jana

Ms. Puja Sonkar

.... For the State

Mr. Sibojyoti Chakrabarti

Ms. Riya Ghosh

.... For the Howrah Zilla Parishad

Affidavit of service filed on behalf of the petitioners and the report submitted by the Zilla Parishad are taken on record.

The relief sought for by the petitioners is two-fold:

First, removal of encroachment from the plot in question in respect of which the Zilla Parishad has granted licence in his favour. Second, renewal of the said licence.

It appears that the first petitioner was granted licence in respect of the plot in question by the Zilla Parishad on 11th November, 1982 which was renewed from time to time. In the report submitted by the Zilla Parishad, the authority has admitted the first petitioner to be the licensee under the authority in respect of the said plot despite the fact that the licence has expired before about 10 years. The report reveals that one Raju

Makhal has submitted a licence application before the authority wherein he has stated that he is constructing a school in his ancestral property and requires a 26 feet 3 inches wide area of land from the plot granted to the first petitioner. The Zilla Parishad has expressed its inability to accede to the request of Raju Makhal in the report for the reason that if a portion of the land given to the first petitioner is transferred to Raju Makhal, there may be unrest in the locality. In other words, the authority has accepted the first petitioner as a licensee under it and is not inclined to part with any portion of the plot allotted to the said petitioner in favour of Raju Makhal.

In view of the said stand taken by the authority, the Secretary, Howrah Zilla Parishad, being the 3rd respondent herein, is directed to consider the representation submitted by the petitioners for renewal of the lease within four weeks from the date of communication of this order upon granting reasonable opportunity of hearing to all concerned including the petitioners, in accordance with law.

The decision taken by the authority shall be communicated to the petitioners within a week thereof.

The issue of alleged encroachment of the petitioners' land shall be dealt with by the appropriate civil forum. The petitioners are at liberty to approach the said forum for redressal of their grievance.

The 3rd respondent shall only deal with the representation submitted by the petitioners for renewal of the licence.

The writ petition is disposed of.

There shall be no order as to costs.

Since no affidavit has been invited, allegations contained in the writ petition shall be deemed not to have been admitted.

Urgent certified website copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

(Suvra Ghosh, J.)