

Item-
23. 31-03-2026

sg Ct. 19

WPA 7206 of 2026

Sonatan Bera
Versus
State of West Bengal & Ors.

Mr. Kamal Mishra
Mr. Pratap Sanfui
...for the petitioner
Sk. Md. Galib
Mr. Abu Siddiqui Mallik
...for the State

The petitioner claims to be recorded owner of LR plot Nos. 792, 793/6958, within Mouza Gurgram, under Police Station Bhagwanpur, in the District of Purba Medinipur.

The petitioner alleges that in front of the aforesaid property of the petitioner, there is a plot of land belonging to the Department of Irrigation and Waterways. The petitioner alleges that the private respondents herein have encroached upon the land of the Irrigation and Waterways Department by raising constructions thereupon. The petitioner submitted a representation dated 10th February, 2026 before various authorities including the Sub-Divisional Officer, Egra Sub-Division, being the third respondent, praying for removal of the unauthorized encroachment on the public land.

Mr. Mishra, learned Advocate for the petitioner submits that, though the copy of the representation has been forwarded to the private respondents, but the track report does not indicate that the private respondents have been duly served. He prays for a direction upon the respondent authorities to consider the representation and to take steps in accordance with law.

Mr. Galib, learned Senior Government Advocate,

submits that necessary steps in accordance with law shall be taken if any encroachment upon the public land is found.

In the light of the submissions made by the learned Advocates for the respective parties and without entering into the merits of the claim made by the petitioner in the representation dated 10th February, 2026, this writ petition stands disposed of by directing the Sub-Divisional Officer, Egra Sub-Division, being the third respondent, to consider the representation of the petitioner dated 10th February, 2026 and to dispose of the same by passing a reasoned order after affording an opportunity of hearing to the petitioner, private respondents and any other person(s), who may be affected by such decision and communicate the reasoned order to the petitioner and others as expeditiously as possible but positively within a period of 12 weeks from the receipt of a server copy of the order along with a copy of the representation dated 10th February, 2026.

It will be open to the third respondent to conduct a demarcation exercise thorough competent Amin/Surveyor, upon prior service of notice to the petitioner, private respondents and any other party/parties who may be affected by such demarcation

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

(Hiranmay Bhattacharyya, J.)