

Item- 25. 30-03-2026

sg Ct. 19

WPA 7138 of 2026

Nayan Tara Dutta
Versus
State of West Bengal & Ors.

Md. Aasif Iqbal
...for the petitioner
Mr. Ram Chandra Guchhait
...for the State

Affidavit of service filed in Court is taken on record.

The petitioner claims to be owner of a plot of land being Dag No. 527/1354, khatian no. 193/1, within Mouza Saluni, J.L. No. 55, under Police Station Chhatna, in the District of Bankura.

The petitioner alleges that the PWD authorities have taken steps to construct high-drain over the raiyati land of the petitioner without initiating any proceeding for acquisition and requisition. The petitioner submitted representation before the various authorities including the Land Acquisition Collector, Bankura, requesting them not to construct a high drain over the property of the petitioner without initiating any proceeding for acquisition.

Mr. Guchhait, learned Advocate appearing for the State, submits that the petitioner filed an application under Section 152/163 BNSS before the Sub-Divisional Executive Magistrate, Bankura, being MP Case No. 111 of 2026 and the learned Executive Magistrate passed an order dated 20th February, 2026 thereby dropping the said proceeding with a direction upon the Inspector-in-Charge, Chhatna Police Station to ensure that the petitioner do not create any nuisance against the second party i.e. Bidesh Ghosh over plot no. 529/557.

The report filed by the Inspector-in-Charge, Chhatna Police Station dated 27th March, 2026 is taken on record.

A copy of such report has been supplied to the learned Advocate for the petitioner.

From the order dated 20th February, 2026 passed by the Executive Magistrate, Sadar Bankura, being MP Case no. 111 of 2026, it appears that in the inquiry report submitted by the Block Land & Land Reforms Officer, Chhatna, it has been stated that the drain is being constructed as per the work order issued by the Public Works Department over plot no. 529/557.

Mr. Guchhait further submits that a work of demarcation shall also be conducted by the authority since an allegation of encroachment upon the property of the petitioner has also been made.

In view of the submission made by the learned advocate for the State this Court directs the respondent authorities to conduct a demarcation of the disputed plot(s) in presence of the petitioner pursuant to the representation submitted by the petitioner dated 13th March, 2026 and to dispose of such representation by passing a reasoned order after affording an opportunity of hearing to the petitioner or his authorized representation.

With the above observations and directions, WPA 7138 of 2026 stands disposed of.

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

(Hiranmay Bhattacharyya, J.)