

13.05.2026
Item No.22
Ct. No. 1
RP

WPA(P) 162 of 2026

Anesur Khan & Ors.

VS.

The State of West Bengal & Ors.

Mr. Raj Kumar Sain

.... For Petitioners

Dictated by PARTHA SARATHI SEN, J.:-

1. Affidavit-of-service as filed today on behalf of the petitioners is taken on record.
2. None appears on behalf of the respondent/State as well as the private respondent despite service.
3. By filing the instant writ petition the petitioners have prayed for issuance of appropriate writ or writs against the respondent authorities especially against the respondent no.3 commanding him to take appropriate action against the private respondents for removal of unauthorized occupation and/or construction allegedly as made by

the private respondents, over a government land.

4. At the time of hearing the learned counsel appearing on behalf of the writ petitioners at the very outset draws attention of this Court to page no.16 of the instant writ petition, being a copy of the relevant record, wherefrom it reveals that LR Plot No.705 in Mouza- Kanchanpur, PS- Mahishadal, District- Purba Medinipur is recorded in Khatian No.1, which is a government land. It is submitted that from annexure P2 of the instant writ petition it would reveal that a representation has been submitted with the respondent nos.2 and 3 authorities requesting them to remove illegal encroachment and/or construction at the instance of the private respondents since on account of such illegal encroachment

common people of the locality are facing extreme inconvenience.

5. It is submitted that despite submission of the said representation dated 19.02.2026 no action has been taken by the aforementioned respondent authorities. It is, thus, submitted that appropriate relief or reliefs be granted to the writ petitioners in terms of prayers made in the writ petition.
6. On careful consideration of the entire materials as placed before us and after hearing the learned advocate appearing for the writ petitioners this Court while disposing the instant writ petition directs the respondent no.3 authorities to consider the representation dated 19.02.2026 in accordance with law after giving due opportunity of hearing both to the writ petitioners and/or other stake

holders and/or their authorized representatives and shall pass a reasoned order and shall forthwith communicate the same to all the stakeholders.

7. The entire exercise as indicated in the foregoing paragraph is to be completed within sixty working days from the date of communication of a copy of this order.
8. It is further ordered that in the event while passing the reasoned order the respondent no.3 authority finds sufficient merit in the representation dated 19.02.2026 he shall take all consequential action forthwith. The time limit as fixed by this Court is peremptory and mandatory.
9. Liberty is given to the learned advocate for the petitioners to communicate the server copy of this order to the respondent no.3, who is

directed to act on the basis of the server copy of this order.

10. Before parting with, it is further made clear that this Court while disposing the instant writ petition has not gone into the merits of the instant writ petition vis-à-vis the representation dated 19.02.2026 and, thus, all points are kept open for adjudication by the respondent no.3 authority.
11. With the aforementioned observations, this writ petition is disposed of.

(SUJOY PAUL, CJ.)

(PARTHA SARATHI SEN, J.)