

Sl. 8
20.04.2026
Court No.19
BP

WPA 8239 of 2026

Sri Swapan Kumar Samanta
-versus-
The State of West Bengal & Ors.

Mr. Snehasis Jana
..for the petitioner

Mr. Soumitra Bandyopadhyay, Sr. Govt. Advocate
Mr. Subhasis Bandyopadhyay
..for the State

Mr. Debdip Mandal
..for the respondent nos. 7 to 9

Affidavit of service filed in Court today is taken on record.

The petitioner claims to be the recorded owner of a plot of land being Dag No. 1421 within Mouza Kirtankhali, J.L. No. 41 under Police Station Sagar in the District of 24 Parganas (South). The petitioner claims to be residing on the said plot of land by constructing a mud house thereupon. The petitioner states that Dag No. 1553 and 1554 which is a vested land is situated just in front of the aforesaid property of the petitioner. The petitioner alleges that the private respondents herein have blocked the pathway of the petitioner from his property to the main road by fencing the portion of the Government land just in front of the aforesaid property of the petitioner with barbed wire and cement and bamboo pillars.

The petitioner submitted a representation before the Sub-Divisional Officer, Kakdwip dated 2nd March, 2026 requesting the said authority to take steps for removal of encroachment from the Government land.

The learned advocate appearing for the petitioner submits that in spite of receipt of such representation no steps have been taken by the respondent authorities to remove the encroachment from the Government land.

The learned advocate appearing for the private respondents submits that the private respondents are carrying on their cultivation for a long period of time and the private respondents have not created any obstruction to the ingress and egress of the petitioner from his property to the main road.

Mr. Bandyopadhyay, learned advocate for the State submits that steps in accordance with law shall be taken if any encroachment upon the Government land is found.

Without entering into the merits of the claim made by the petitioner in the representation dated 2nd March, 2026, WPA 8239 of 2026 stands disposed of by the directing the Sub-Divisional Officer, Kakdwip being the 3rd respondent to consider the representation dated 2nd March, 2026 and after causing necessary enquiries and demarcation by engaging competent Amins/surveyors upon prior service of notice to the petitioner, the private respondents and any other person who may be affected by such demarcation and upon such demarcation if it is

found there has been an encroachment upon the Government land, necessary proceeding in accordance with the law shall be initiated and the entire exercise shall be completed as expeditiously as possible but positively within a period of twelve weeks from the receipt of a server copy of this order along with a copy of the representation dated 2nd March, 2026. If the authorities come to a finding that there is no encroachment upon the Government land, such decision shall also be communicated to the petitioner and others within the time limit indicated hereinbefore.

There shall be however no order as to costs.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Hiranmay Bhattacharyya, J.)