

Sl. 9
30.04.2026
Court No.19
BP

WPA 9061 of 2026

Arun Samanta & Anr.
-versus-
The State of West Bengal & Ors.

Mr. Pratap Kumar Yadav
..for the petitioners

Mr. Shanti Ranjan Das
Mr. Janardan Mandal
..for the State

Mr. Salil Kumar Maiti
Ms. Dolan Samanta
..for the respondent no. 8

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

The petitioners claim to be the owner of a plot of land being L.R. Plot No. 4918 within Mouza Joteghanashyam under Police Station Daspur in the District of Paschim Medinipur. The petitioners state that there is a vacant land in between the property of the petitioners and the concrete road. The petitioners allege that the private respondent has erected a structure over the vacant land in between the petitioners and the concrete road.

The petitioners submitted a representation before the various authorities including the Sub-Divisional Officer, Ghatal dated 2nd March, 2026 praying for removal of encroachment from the vacant land.

The learned advocate appearing for the private respondent submits that the vacant land on which the petitioners have alleged construction made by the private respondent does not belong to the Government and the same is a raiyati property.

Heard the learned advocate for the State.

It appears from paragraph 3 of the writ petition that the petitioners have stated that there is a vacant land in between the property of the petitioners and the concrete road running adjacent to the land of the petitioners. It has not been stated in paragraph 3 thereof that the said vacant land is a public land. In the representation dated 2nd March, 2026 the petitioners have stated that there was sufficient space for ingress and egress over the vacant space on the side of the road. The petitioners have not specifically stated as to whether the vacant land is a public land or forms part of the PWD road.

Faced with such situation, the learned advocate appearing for the petitioners prays for leave to submit a comprehensive representation before the appropriate authority ventilating his grievance.

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 petitioners in this writ petition as well as the representation dated 2nd March, 2026, WPA 9061 of 2026 stands disposed of by granting liberty to the petitioners to submit a comprehensive

representation before the concerned respondent authority. If such a representation is submitted such authority shall consider and dispose of the same in accordance with law as expeditiously as possible.

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.)