

Court No. 19
(265719)

08.06.2026

(A 9)

(S. Banerjee)

WPA 9433 of 2026

Haripada Samai

Vs.

The State of West Bengal & Ors.

Mr. Salil Kumar Maiti
Ms. Dolan Samanta

...for the petitioner

Mr. Madhu Jana
Ms. Puja Sonkar

...for the State

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

Learned advocate appearing for the petitioner submits that the respondents have been duly served. However, none appears for the respondents.

Mr. Jana, learned advocate, who usually represents the State, is present in Court and is requested to represent the State in this matter.

Let the appointment of Mr. Jana be regularized by the concerned authority.

Learned advocate appearing for the petitioner assures this Court that a copy of the writ petition shall be served upon Mr. Jana in course of this day.

The petitioner claims to be the owner of a plot of land being no. 427 within Mouza Bholsara, JL No. 95 under Mahishadal Police Station in the district of Purba Medinipur. The petitioner alleges that the

private-respondents have erected a partly pucca and partly semi-pucca structure by encroaching upon the government land. The petitioner submitted a representation dated May 12, 2025 before various authorities including the SDO, Haldia. Petitioner submits that in spite of receipt of such representation, no steps have been taken by the respondent authorities to remove the encroachment on the government land.

Since an allegation of encroachment upon the government land has been made, it is the duty of the respondent authorities to take steps in accordance with law and to remove any unauthorized encroachment from the government land.

Learned advocate appearing for the State submits that necessary steps in accordance with law shall be taken and if any unauthorized encroachment upon the government land is found.

In the light of the submissions made by the learned advocates appearing for the respective parties, this writ petition stands disposed of by directing the SDO, Haldia, being the 5th respondent, to consider the representation of the petitioner dated May 12, 2025 and after causing necessary inspection and demarcation by engaging competent Amin/Surveyors upon prior service of notice to the petitioner, the private-respondent and any other person who may be affected by such demarcation and upon such demarcation if it is found that there has

been any encroachment upon government land, necessary proceeding in accordance with the provisions of West Bengal (Public Land Eviction of Unauthorised Occupants) Act, 1962 shall be initiated and the entire exercise under the said provision shall be completed as expeditiously as possible but positively within a period of 10 weeks from the receipt of a server copy of this order along with the representation dated May 12, 2025.

(Hiranmay Bhattacharyya, J.)