

M/L- 42
09/06/2026
Ct. No.-19
Aritra

WPA 10905 of 2026

Kamales Ghosh

Vs.

The State of West Bengal & Ors.

Mr. Timir Baran Saha

....for the petitioner

Mr. Nilanjan Bhattacharyya, S.S.C.,

Ms. Jayita Dhar Chakraborty

Mr. Rhitam Chatterjee

....for the State

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

The learned advocate appearing for the petitioners submits that the private respondents have been duly served.

In spite of service none appears for the private respondents.

Mr. Bhattacharyya, learned Senior Standing Counsel, who usually represents the State is present in Court and is requested to appear in this matter.

Let the appointment of Mr. Bhattacharyya along with a junior of his choice be regularised by the concerned authority.

A copy of the writ petition has been served upon Mr. Bhattacharyya in course of hearing of this writ petition.

The petitioner claims to be the owner of a plot of land being No.57 within Mouza-par Chandannagar, J.L. No.36 in the District of Nadia. The petitioner states that there is a Government land lying adjacent to the aforesaid property of the petitioner. The petitioner alleges that the

private respondents have raised a *pucca* construction by encroaching upon the Government land thereby creating obstruction to the ingress and egress of the petitioner from his property to the main road.

The petitioner submitted a representation before the Sub Divisional Officer, Krishnagar Sub-Division (Sadar) by a letter dated February 11, 2026, requesting such authority to remove the unauthorised 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 till date.

Mr. Bhattacharyya, learned Senior Standing Counsel submits that necessary steps in accordance with law shall be taken if any encroachment upon the Government land is found.

In the light of the submission made by the learned advocates for the respective parties and without entering into the merits of the claim made by the petitioner in the representation dated February 11, 2026, WPA 10905 of 2026 stands disposed of by directing the Sub Divisional Officer, Krishnagar Sub-Division (Sadar), being the respondent no.3 to consider the representation of the petitioner dated February 11, 2026 and after causing necessary inspection and demarcation through competent Amins/Surveyors upon prior service of notice to the petitioner, the private respondents and any other persons,

who may be affected by such demarcation and upon such demarcation if it is found that there has been encroachment upon the Government land, necessary proceedings in accordance with the relevant provisions of the statute shall be initiated and the entire exercise shall be completed as expeditiously as possible but positively within a period of 8 weeks from the receipt of a server copy of this order along with a copy of the representation dated February 11, 2026.

There will be no order as to costs.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Hiranmay Bhattacharyya, J.)