

Item-
9.

23-06-2026

WPA 11852 of 2026

sg

Ct. 19

Rabindranath Bag & Ors.
Versus
The State of West Bengal & Ors.

Mr. Salil Kumar Maiti
Ms. Dolan Samanta
...for the petitioners
Mr. Nilanjan Bhattacharjee, SSC
Ms. Jayita Dhar Chakraborty
Mr. Rhitam Chatterjee
...for the State

Affidavit of service filed in Court is taken on record.

The learned Advocate appearing for the petitioners states that private respondents have been duly served and excepting the second respondent, other respondents have received the copy of the writ petition. In spite of service, none appears on behalf of the private respondents.

The petitioners claim to be owners of a land being plot no. 1031, within Mouza Purba Srirampur, JL no. 155, under Police Station Mahishadal in the District of Purba Midnapore. The petitioners state that on the southern side of the aforesaid property, there is a land belonging to Irrigation and Water Ways Department. The petitioners allege that the private respondents have made a construction of residential/commercial structures by encroaching upon the Government land being Plot no. 1029. The petitioners submitted a representation dated 6th April, 2026 before various authorities including the Sub-Divisional Officer, Haldia, praying for removal of unauthorized construction from the Government land.

The learned Advocate appearing for the petitioners submits that in spite of receipt of such representation, no steps have been taken by the respondents till date.

Mr. Bhattacharjee, learned Senior Standing Counsel submits that the respondent authorities shall take necessary steps in accordance with law if any encroachment upon the Government land found.

Without entering into the merits of the claim contained in the representation dated 6th April, 2026, this writ petition stands disposed of by directing the Sub-Divisional Officer, Haldia, being the third respondent, to consider the representation of the petitioner dated 6th April, 2026 and after causing necessary enquiries and demarcation through competent Amins/Surveyors, upon prior service of notice to the petitioners, 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 proceeding shall be initiated in accordance with the provisions of the relevant statute and the entire exercise under the said provision shall be completed as expeditiously as possible but positively within a period of ten weeks from the receipt of a server copy of this order along with a copy of the representation dated 6th April, 2026.

Needless to mention that if it is found that there has been no encroachment upon the Government land, such decision shall also be communicated by the third respondent to the petitioners and others within the time limit as indicated

hereinbefore.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Hiranmay Bhattacharyya, J.)