

WPA 14017 of 2025

26.02.26
Sl-960
Ct.551
(Samar)

Vivekananda Das
v.
The State of West Bengal & Ors

Mr. Sk. Jayed Hossain,
Mr. M. Rahaman

....for the petitioner.

Mr. Uttam Kumar Bhattacharyya,

.... for the Purba Medinipur Zilla Parisad.

Mr. Vivekananda Bose,

Ms. Subhra Nag,

... for the State.

1. Copy of the said instructions along with report are taken on record.
2. Learned advocate appearing for the Purba Medinipur Zilla Parishad hands up to court a copy of the instructions forwarded to him by the Additional Executive Officer, Purba Medinipur Zilla Parishad along with a report dated February 24, 2026 prepared by the Land Manager, Purba Medinipur Zilla Parishad wherefrom it appears that in terms of the order passed by the Sub-Divisional Magistrate, Tamluk, the encroachment has been demolished. The report records that demolition work was completed on February 24, 2026 at 02.40 p.m.
3. The petitioner submits that although demolition work has been done, encroachment still remains on certain portions.
4. The assertion and counter assertion of the parties lie in the zone of disputed questions of fact, which cannot be decided by this Court on affidavit evidence. It will be for the relevant Sub-Divisional Officer to decide such issue. The petitioner shall be free to bring such aspect to the notice of the

relevant Sub-Divisional Officer who will take appropriate steps in accordance with law.

5. Nothing more remains to be decided in the present writ petition.
6. Accordingly, WPA 14017 of 2025 stands disposed of.
7. Urgent photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities

(Om Narayan Rai, J.)