

Item- 10-06-2026
A-55.

Ct. 19
sg

WPA 15041 of 2025

Kalipada Mahata
Versus
State of West Bengal & Ors.

Mr. Timir Baran Saha
Mr. Aninda Bhattacharya
Mr. S. Sarkar
Mr. K.P. Santra

...for the petitioner

Mr. Nilanjan Bhattacharjee
Ms. Jayita Dhar Chakraborty
Mr. Rhitam Chatterjee

...for the State

Affidavit of service filed in Court is taken on record.

The petitioner claims to be the owner of several plots of land within Mouza Barsyadihi in the District of Paschim Medinipur. The petitioner states that there is a vacant government land which is in front of the aforesaid property of the petitioner. The petitioner alleges that the private respondents have raised an unauthorized construction by encroaching upon the government land by affixing nailed-wire thereby obstructing ingress and egress of the petitioner from his property to the main road. The petitioner submitted a representation on 9th June, 2025 before the Sub-Divisional Officer, Medinipur Sadar, praying for removal of unauthorized construction.

The learned Advocate appearing for the petitioner submits that in spite of receipt of such representation, no steps have been taken by the respondent authority to remove the encroachment from the government land till date.

Mr. Bhattacharjee, learned Senior Standing Counsel submits that necessary steps shall be taken in accordance with law if any encroachment from 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 9th June, 2025, this writ petition stands disposed of by directing the Sub-Divisional Officer, Medinipur Sadar to consider the representation of the petitioner dated 9th June, 2025 and after causing enquiry and demarcation of the disputed plots by engaging competent Amin/Survior, upon prior notice to the petitioner, private respondents and any other party/parties who may be affected by such demarcation and upon such demarcation, if any encroachment upon the government land is found, necessary proceeding in accordance with the provisions of relevant statute shall be initiated and the entire exercise under the said statute 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 9th June, 2025.

Needless to mention that if it is found that there has been no encroachment upon the government land, such decision shall also be communicated to the petitioner 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.)