

Item-
12. 09-04-2026

sg Ct. 19

WPA 15889 of 2025

Sisir Kumar Samanta & Ors.
Versus
State of West Bengal & Ors.

Mr. Dilip Kumar Sinha
Ms. Tithi Paul
...for the petitioners
Mr. Supratim Dhar, Sr. Adv.
Mr. Chandan Kumar Mandal
...for the State
Mr. Mridul Kanti Sasmal
Mr. Tanmay Chatterjee
...for the private respondent

The petitioners claim to be the owners of a plot of land being Dag No. 1016, within Mouza Arangkiarana, J.L. No. 233 under Police Station Moyna, in the District of Purba Medinipur. The petitioners state that a government land being plot no. 804 is lying adjacent to the aforesaid property of the petitioners. The petitioners allege that the private respondent herein has put fencing at plot no. 804 thereby creating obstruction to the ingress and egress of the petitioners from their property to Mayna Highway.

Pursuant to an order passed by the coordinate Bench, an inspection was carried out and a report has been filed. From the report of the Revenue Inspector dated 20th December, 2025, it appears that the private respondent herein has put fencing over plot no. 804. The report filed by the respondent nos. 3 and 4 states that the plot no. 804 of Mouza Arangkiarana, J.L. No. 233 total area measuring about 4.27 acres is classified as ‘Bandh’ and the same is a government land falling under khatian no. 1. The learned advocate for the third and fourth respondent submits that the private

respondents are the owners of plot no. 1015 and the private respondents have put fencing on the raiyati property of the private respondent. He further submits that over the raiyati property of the private respondent, a road has been illegally constructed by the Panchayat authorities.

Mr. Dhar, learned Senior Counsel appearing for the State, however, disputes the submission made by the learned Advocate for the private respondent that a portion of his raiyati property has been utilized for the purpose of construction of a road.

Be that as it may, if the petitioners are aggrieved by any action/over action on the part of the Panchayat authorities, it will be open to the private respondents to work out their remedies in accordance with law.

The private respondent could not demonstrate any right over plot no. 804. That apart, plot no. 804 is a government land. Thus, the private respondent could not have put any fencing on the plot no. 804.

In view thereof, the Sub-Divisional Officer, Tamluk Sub-Division, Purba Medinipur, being the third respondent, is directed to take steps for removal of the fencing that is existing on plot no. 804.

The Block Land & Land Reforms Officer, Moyna Block and the Officer-in-Charge, Moyna Police Station are directed to render assistance to the Sub-Divisional Officer, Tamluk in the matter of removal of fencing from plot no. 804.

The fencing shall be removed by the aforesaid authorities as expeditiously as possible but positively on or before May 15, 2026.

With the above observations and directions, this writ petition stands disposed of.

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

(Hiranmay Bhattacharyya, J.)