

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side

Ct.551 **12.02.26**
D/L.
Item No.857
(Samar)

WPA 20101 of 2025
Kamal Pada Mondal
Vs
The State of West Bengal & Ors.

Mr. Ratikanta Pal,
..... For the petitioner.

Mr. Ayan Banerjee
Mr. Subhendu Sengupta,
... for the State.

1. A copy of the said report has also be made over to the learned advocate appearing for the petitioner.
2. This representation alleges inaction on the part of the respondent nos. 3 and 4 in taking steps against unauthorised occupation of Government Land by the respondent no. 10.
3. Learned advocate appearing for the petitioner draws the attention to this court to representation dated March 18, 2025 addressed inter alia to the Sub-Divisional Officer, Baruipur and e-mail dated August 24, 2025 sent to the District Magistrate, South 24 Parganas and submits that despite it being brought to the notice of the said authorities that government land had been encroached upon and is being unauthorisedly occupied by the respondent no. 10, no step has been taken by the said authorities to

remove the encroachment and the unauthorised occupant.

4. Learned advocate appearing for the respondent state authorities has handed up to court a report prepared by the Sub-Divisional Officer, Baruipur, South 24 Parganas under Memo no. 3008/BRPS/Law dated December 16, 2025 and enquiry had been conducted by the Revenue Inspector whereupon it has been found that Government land has been encroached upon.

5. Let the aforesaid report be taken on record.

6. Since from the report handed up to court it is evident that government land has been encroached upon, the respondent no. 4 being the Sub-Divisional Officer Baruipur is requested to initiate appropriate proceedings in terms of the relevant provisions of the West Bengal Public Land (Eviction of Unauthorized Occupants) Act, 1962 and take the said proceedings to their logical legal conclusion upon hearing all the interested parties including the petitioner and the respondent no. 10 herein. It is made clear that all parties shall be entitled to place their respective cases before the Sub-Divisional Officer and the said Sub-Divisional Officer shall thereupon pass a reasoned order accordance with law. It should be ensured that any unauthorised occupation and encroachment over government land is removed.

7. It is expected that the proceedings under the said Act of 1962 shall be concluded expeditiously and preferably within a period of eight weeks from the date of communication of his order.

8. WPA 20101 of 2025 stands disposed of. No costs.

9. 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.)