

11.02.2026
Item No.02.
Ct. No.15
Suman

WPA 22402 of 2024
With
CAN 1 of 2026

Smt. Krishna Jana
-Vs-
The State of West Bengal and Ors.

Mr. Sabyasachi Chatterjee
Mr. Rameshwar Sinha
Mr. Anujit Maity
..for the petitioner

Mr. Sudip Sarkar
Ms. Chandreyee Dutta
..for the State

The present writ petition has been filed seeking a direction upon respondent nos. 6, 7, 9, 10, and 11 for the demolition of a structure, particularly the Manikpur Health and Wellness Centre, located at Manikpur under Police Station Contai, District Purba Medinipur.

Mr. Sabyasachi Chatterjee, learned counsel appearing for the petitioner, submits that the petitioner is the recorded owner of property measuring approximately 15 decimals within Plot No. 210, J.L. No. 470, Old Khatian No. 16, New Khatian No. 44, under Mouja Manikpur, Police Station Contai, District Purba Medinipur. It is contended that the respondent authorities, particularly the Block Development Officer, Contai-

II (Deshpran), have undertaken construction over the property belonging to the petitioner. Several representations were made before the concerned authorities, but no steps have been taken. Aggrieved by the inaction of the authorities, the petitioner has preferred the present writ petition.

The State has filed a report. The relevant portion of the report is reproduced below:

“The disputed Manikpur Health and Wellness Centre was situated at Manikpur Mouza, J.L. No.470, Plot No.210 under Deshapran Block, Purba Medinipur. The said Health and Wellness Centre was constructed in the year 2023 maintaining due process. Initially the land measuring 5 $\frac{1}{10}$ decimal was donated by three co-sharers namely Atin Kumar Jana, Atish Kumar Jana both are the son of late Satish Chandra Jana, and Smt. Muktakesi Jana, W/o – Lt. Satish Chandra Jana all are of Village-Manikpur, P.O. Fuleswar, PS- Contai, Dist.-Purba Medinipur to Manikpur Sishu Siksha Kendra situated at Deshapran Block, Purba Medinipur in the year 2012. On behalf of Manikpur Sishu Siksha Kendra the Pradhan, Sarada Gram Panchayat executed the Deed of Gift. Later the said Pradhan on behalf of Manikpur Sishu Siksha Kendra donated the land measuring 03 decimals to Deshapran Block Medical Officer of Health through a registered deed of Gift in the year 2022.

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The Manikpur Health and Wellness Centre is situated on both the land of the Health and Wellness Centre and the Manikpur Sishu Siksha Kendra measuring 5 $\frac{1}{10}$ decimal of land.”

In the aforesaid context, this Court is of the view that a writ court is not the appropriate forum to adjudicate the issue of encroachment.

Accordingly, **WPA 22402 of 2024** is not entertained.

It is, however, clarified that the dismissal of this writ petition shall not preclude the petitioner from approaching a civil court for seeking appropriate relief. Needless to mention, if any civil suit is filed, the dismissal of the present writ petition shall have no bearing on such proceedings.

Accordingly, **WPA 22402 of 2024**, along with **CAN 1 of 2026**, stands dismissed.

Urgent photostat certified copy of this order, if applied for, be supplied to the learned advocates for the parties on usual undertakings.

(Kausik Chanda, J.)