

WPA 23139 of 2025

Sri Gurupada Giri & Anr.

v.

The State of West Bengal & Ors.

19.02.26
Sl-894
Ct.551
(S.R.)

Mr. Bhagahat Chowdhury
Mr. Subrata Mukherjee ... for the petitioners.

Mr. Vivekananda Bose
Mr. Tirthankar Dey ... for the State.

1. Affidavit of service filed today in Court is taken on record. It is submitted that service has been effected on the respondent no.10 on February 12, 2026.
2. This writ petition alleges inaction on the part of the respondent State authorities in taking steps for removal of encroachment over government/public land.
3. Learned advocate appearing for the petitioners invites the attention of this Court to a representation dated August 12, 2023 made, *inter alia*, to the District Magistrate, Purba Medinipur and submits that despite such representation having been made more than one year back, no step has been taken by the respondent State authorities towards removal of the encroachment complained of in the said representation.
4. Mr. Bose, learned advocate appearing for the respondent State authorities submits that the relevant Sub-divisional Officer i.e. the respondent

no.6 has already undertaken relevant enquiry and steps have been taken for spot verification and demarcation of the plots in question.

5. Since, it is evident from the submission made on behalf of the respondent State authorities that the respondent no.6 has already taken steps towards initiation of appropriate proceedings for the purpose of removal of encroachment over government/public land, no purpose will be served by keeping this writ petition pending.
6. Accordingly, the respondent no.6 i.e the Sub-divisional Officer, Etamogra Irrigation Sub-division, Etamgora is directed to consider the petitioners' representation dated August 12, 2023 (Annexure P-7 at pages 45 to 48 thereof) and dispose of the same as expeditiously as possible preferably within a period of eight weeks from the date of communication of this order.
7. It is clarified that if the said respondent finds that the petitioners' allegations are true and that there is encroachment over government/public land, the said authority shall initiate appropriate proceedings for removal of the unauthorized occupation under the relevant statute including the West Bengal Public Land (Eviction of Unauthorized Occupants) Act, 1962.

8. If any such proceeding, as aforesaid, is initiated, the respondent no.6 shall endeavour to conclude the same in accordance with law, as expeditiously as possible preferably within a period of six weeks from the date of initiation thereof. Since it has been submitted that the Sub-divisional Officer has already asked for verification and/demarcation report from the Block Land & Land Reforms Officer, Nandigram II Block Nandigram, i.e. the respondent no.7, the said respondent shall take expeditious steps to forward such report to the respondent no.6 upon verification and demarcation exercise being completed.
9. It is needless to mention that the final decision for eviction/removal of encroachment shall be taken by the said authority, in accordance with law, only upon affording an opportunity of hearing and of presenting their respective cases, to all interested parties including the petitioners and the respondent no.10 herein.
10. WPA 23139 of 2025 stands disposed of with the above observations. No costs.
11. Urgent certified photocopy of this order, if applied for, be supplied as expeditiously as possible.

(Om Narayan Rai, J.)