

22.01.2026
Item No.762 (DL)
Court No.551
AJ.

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION**

W.P.A. 23723 of 2025

Milan Kumar Khutia

-Vs-

The State of West Bengal & Ors.

Mr. Balaram Pandit, (V.C.),
Mr. Krishna Deo Das.
...for the petitioner.

Mr. Swapan Kumar Datta, Ld. G.P.,
Mr. Dipankar Dasgupta.
.....for the State.

Mr. Soham Dutta.
.....for the respondent nos.10 & 11.

Mr. Manabendra Thakur.
.....for the respondent no.12.

1. This writ petition has been filed alleging inaction on the part of the respondent State Authorities in implementing an order dated June 09, 2025 passed by the Sub-Divisional Magistrate, Egra, Purba Medinipur in a proceeding under the West Bengal Public Land (Eviction of Unauthorized Occupants) Act, 1962 (in short 'the said Act of 1962').

2. Learned Advocate appearing for the petitioner submits that such proceeding had been initiated upon an order dated November 20, 2024 being passed by a co-ordinate Bench of this Court in an earlier writ petition being WPA 26802 of 2024 being filed by the writ petitioner.

3. Learned Advocate appearing for the respondent State Authorities hands up to Court a copy of the instructions dated January 21, 2026 forwarded to him by the Block Land and Land Reforms Officer, Pataspur-I, Purba Medinipur and submits that the order passed by the Sub-Divisional Magistrate on June 09, 2026 has been challenged in an appeal filed before the District Magistrate on June 26, 2025. Let the said instructions dated January 21, 2026 be kept with the record.

4. Learned Advocates appearing for the respondent nos.10, 11 and 12 submit that they have preferred separate appeals before the Appellate Authorities.

5. Learned Advocate appearing for the petitioner submits that no notice of any of the said appeals has been served upon the petitioner and the petitioner has no knowledge of such appeals having been preferred.

6. Since appeals have been preferred against the said order dated June 09, 2025 passed by the Sub-Divisional Magistrate in the proceeding under the said Act of 1962, it would be proper to direct the concerned Appellate Authority to dispose of the said appeals in accordance with law upon hearing all parties including the petitioner herein. Notice as well as

copies of the said appeals shall be served upon the petitioner so as to ensure representation of the petitioner during hearing of the said appeals.

7. The relevant Appellate Authority shall dispose of the appeals filed by the respondent nos.10, 11 and 12 expeditiously and in accordance with law. It is made clear that this Court has not gone into the merits of the matter and all points are left open to be urged by the respective parties before the relevant Appellate Authority which shall then be decided by the said Appellate Authority strictly in accordance with law.

8. WPA 23723 of 2025 stands disposed of with the above observations. 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.)