S/L 4
01.10.2026
Court. No. 25
suvayan

WPA 28391 of 2026

Utpal Bera
Vs.
The State of West Bengal & Ors.

Mr. Sounak Bhattacharya
Mr. Abhirup Halder
Mr. Bidan Modak

...for the petitioner.

Ms. Reshmi Ghosh
Mr. Ghanshyam Pandey

...for the State.

Mr. Amit Baran Dash
Ms. Ankana Sarkar
Ms. Sharmi Das

...for the respondent.

1. The affidavit-of-service filed by the petitioner be kept with the record.

2. The petitioner has filed the present writ application challenging the notice dated September 24, 2026 addressed to the Inspector-in-Charge, Egra Police Station wherein the Block Land and Land Reforms Officer has directed to comply with the order dated August 12, 2026 passed by the Sub-Divisional Magistrate, Egra in connection with Eviction Case no. 207(A)/2026 an eviction programmed has been fixed on October 1, 2026 at 11.00 a.m. to remove/demolish to all unauthorized structures from the PWD (Roads) pertaining to Mouza-Hamrajita, J.L. no. 42, Plot no. 245 encroachment is a tin shed of 160 sq.ft. unauthorized occupation of one Khokan Kumar Bera.

3. Learned counsel for the petitioner submits that the petitioner is not connected with the plot no. 245. The

petitioner is in occupation of plot no. 260 of J.L. no. 42 but is apprehending that on the basis of the communication dated September 24, 2026, the authorities will also evict the petitioner from the plot no. 260.

4. Learned counsel appearing for the State draws the attention of this court to the notice dated March 25, 2026 issued by the Assistant Engineer, Contai Highway Sub-Division, PWD (Roads). The notice is specifically issued only one Khokan Kumar Bera and not to the petitioner herein with respect of the plot no. 245, J.L. no. 42. The said notice is not issued with respect of plot no. 260. The State has also draws the attention of this Court to the order passed by the Sub-Divisional Magistrate, Egra dated August 12, 2026 wherein the Sub-Divisional Magistrate has passed an order for eviction of Khokan Kumar Bera with respect of L.R. plot no. 245 at J.L. no. 42 and not with to plot no. 246. In the said order the Sub-Divisional Magistrate has also categorically advised the complainant to file fresh case of plot no. 260, J.L. no. 42 as plot no. 260 is not related to the complaint filed by the complainant before the Sub-Divisional Magistrate.

5. Learned counsel appearing for the State on instruction further submits that the eviction process is only with respect of J.L. no. 42, Plot no. 245 not Plot no. 260.

6. Considering the submission made by the learned counsel for the State, this Court finds that it is the specific case of the State that the State will execute the order passed by the Sub-Divisional Magistrate with regard to J.L. no. 42

of Plot no 245 and not Plot no. 260 and as such this Court finds that no further order is required to be passed in the matter.

7. Accordingly, the writ petition is disposed of.

8. Urgent photostat certified copies of this order, if applied for, be supplied to the parties upon compliance with all the necessary formalities.

(Krishna Rao, J.)