

N.22S1

151/CL
15.01.26
SI-694
Ct.551
(S.R.)

WPA 27715 of 2025

Kamala Bagal & Anr.

v.

The State of West Bengal & Ors.

Mr. L. Mandal
Mr. Dilip Kumar Sadhu ... for the petitioners.

Mr. Saibal Acharya
Mr. Debarati Sen ... for the State.

Mr. S.K. Purkait
Mr. Pradip Neogi
Mr. Badal Saha
Mr. Anirban Saha
Mr. A.K. Biswas
... for the respondent nos.10 and 11.

1. The petitioners complain of inaction on the part of the Sub-Divisional Officer, Medinipur Sadar i.e. the respondent no.3 in taking steps on the basis of the petitioners' representation dated July 11, 2025.
2. It is the petitioners' case that the respondent nos.10 and 11 have encroached upon Public Land/Government Land and have raised unauthorized construction thereon. The petitioners assert that complaining against such act of the respondent nos. 10 and 11, the petitioners had made a representation before the Sub-Divisional Officer, Medinipur Sadar as far as back on July 11, 2025 but the said authority has not taken any step on the said representation excepting issuing a letter dated September 1. 2025 to the Sub-Divisional Land and Land Reforms Officer, Midnapore Sadar

requesting the addressee authority to *“look into the matter and take necessary action accordingly”*.

3. Learned advocate appearing for the respondent nos.10 and 11 submits that the petitioners' complaint before the Sub-Divisional Officer is baseless inasmuch as the respondent nos.10 and 11 have neither encroached upon Public Land/Government Land nor are in unauthorized occupation of any such land as alleged.
4. Heard learned advocate appearing for the respective parties and considered the material on record.
5. Since a representation has already been made to the Sub-Divisional Officer, Medinipur Sadar i.e. the respondent no.3 herein alleging encroachment upon Government Land and unauthorized construction thereon, therefore, the said respondent should take appropriate steps on the basis of the said representation.
6. Needless to mention that if the respondent no.3 forms an opinion that there has been any encroachment upon Government Land or any unauthorized construction has been raised thereon, the said authority shall take appropriate steps in terms of the relevant provisions of the West Bengal Public Land (Eviction of Unauthorized Occupants) Act, 1962 and ensure that the proceedings reach a logical legal conclusion upon affording an

opportunity of hearing to all interested parties including the petitioners and the respondent nos.10 and 11.

7. Needless to mention that in case any proceeding is initiated under the said Act of 1962 or otherwise by the said Sub-Divisional Magistrate then the respondent nos.10 and 11 shall be entitled to place their respective cases and also produce all documents in support of their respective contentions and the appropriate authority shall after considering the same take an informed decision in the matter, strictly in accordance with law.
8. It is clarified that this Court has not gone into the merits of the petitioners' case and the counter case of the respondent nos.10 and 11 and all point are left open to be decided by the appropriate authority, in accordance with law.
9. In case proceedings under the West Bengal Public Land (Eviction of Unauthorized Occupants) Act, 1962 are initiated, it is expected that the same will be disposed of expeditiously preferably within a period of six weeks from the date of initiation thereof.
10. With the aforesaid observations, WPA 27715 of 2025 stands disposed of
11. There shall, however, be no order as to costs.

12. Urgent certified photocopy of this order, if applied for, be supplied as expeditiously as possible

(Om Narayan Rai, J.)