

12.02.2026
Item No.869 (DL)
Court No.551
AJ.

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

W.P.A. 29704 of 2025

Uttam Bera & Anr.

-Vs-

The State of West Bengal & Ors.

Mr. Subhas Jana.

...for the petitioners.

Mr. Tanmoy Kumar Ghosh, Sr. Govt. Adv.,

Mr. Somnath Mukhopadhyay.

...for the State.

Mr. Salil Kumar Maiti,

Ms. Dolan Samanta.

...for the respondent no.6.

1. Affidavit of service filed on behalf of the petitioner be kept with the record.

2. This writ petition alleges inaction inter alia on the part of the respondent nos.2 and 3 in taking steps to remove encroachment and unauthorized occupation of Government/public land by the respondent nos.8 to 24.

3. Learned Advocate appearing for the petitioners invites the attention of this Court to a representation dated June 11, 2025 addressed inter alia to the respondent nos.2 and 3 and submits that despite the said representation having been made, the said respondents have not taken any step to remove the encroachment and unauthorized occupation over Government/public land.

4. None appears for the respondent nos.8 to 24.

5. Heard learned Advocates appearing for the respective parties and considered the material-on-record.

6. Since a representation has been made seeking initiation of appropriate proceedings for removal of encroachment and unauthorized occupation over Government/public land, the respondent no.3 i.e. the Sub-Divisional Officer, Haldia, Durgachak, Purba Medinipur shall consider the said representation and if the said respondent finds the said representation to be meritorious and if a case of encroachment and unauthorized occupation has been made out, the said respondent shall take appropriate steps under the relevant statute including West Bengal Public Land (Eviction of Unauthorized Occupants) Act, 1962.

7. It is clarified that if proceedings for eviction and removal of unauthorized occupants is initiated, all interested parties including the petitioners and the respondent nos.8 to 24 shall be given appropriate opportunity to present their respective cases and shall be heard prior to the final decision being taken by the respondent no.3.

8. The respondent no.3 shall endeavour to conclude any proceeding for eviction and removal of

unauthorized occupation as aforesaid within a period of 12 weeks from the date of communication of this order, strictly in accordance with law.

9. WPA 29704 of 2025 stands disposed of with the above observations. No costs.

10. 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.)