

Item- 09-04-2026
13.

Ct. 19

sg

WPA 51 of 2026

Ashok Kumar Sarkar
Versus
State of West Bengal & Ors.

Mr. Ashis Kumar Paul
Ms. Shilpi Paul
...for the petitioner
Mr. SM Samim Ullah
...for the State

Affidavit of service filed in Court is taken on record.

The learned Advocate appearing for the petitioner submits that the private respondent has been duly served. In spite of service, none appears on behalf of the private respondent. However, the State is represented by its learned Advocate.

The petitioner claims to be the recorded owner of a plot of land being Dag no. 1526, J.L. No. 33, within Mouza Kantadih, in the District of Purba Bardhaman. The petitioner alleges that the private respondent has raised a construction by encroaching upon a portion of Dag No. 1526, which according to the petitioner, is a government land, thereby causing obstruction to the ingress and egress of the petitioner from his property to the main road. The petitioner submitted a representation dated 16th June, 2025 before the respondent authority.

The learned Counsel appearing for the petitioner submits that in spite of receipt of the said representation, the respondent authority has not taken any steps to remove the encroachment from the government land.

The learned Advocate appearing for the State submits that necessary steps in accordance with law shall be taken if any encroachment upon the government land is found.

At this stage, the learned Advocate appearing for the petitioner submits that the representation before the appropriate authority has not been made. He prays for leave to file a representation before the appropriate authority.

In the light of the submissions made by the learned Advocates for the respective parties, WPA 51 of 2026, stands disposed of by giving liberty to the petitioner to file a comprehensive representation ventilating his grievance before the appropriate authority.

If such a representation is submitted, such authority shall consider and dispose of the same in accordance with law as expeditiously as possible.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Hiranmay Bhattacharyya, J.)