

20.04.2026.
Item No. 19.
Court No. 7
ap

IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri
CIVIL APPELLATE JURISDICTION
(Appellate Side)

M.A.T. No. 102 of 2025

In

I.A. No. CAN 1 of 2026

Saharul Haque @ Md. & Ors.
Versus
The State of West Bengal & Ors.

Md. Shoaib Akhtar.

...For the appellants.

Mr. Joyjit Choudhury, Ld. AAG,
Mr. Nabankur Paul.

....For the State.

1. The report filed by Rosy Lama Tamang, Senior Law Officer of Sub-Divisional Magistrate, Sadar, Jalpaiguri has been considered.

2. It appears from the letter annexed to the report dated 12th June, 2025 that the Executive Engineer, Mahananda Link Canal Sub-Division, Siliguri has submitted a compliance report. They visited the site on 5th February, 2026 and the encroachment has been demolished. The encroachment Plot is under Mouza – Binnaguri, J.L. No. 03, L.R. Sheet No. 17, L.R. Plot No. 426, L.R. Khatian No. 1750 in front of Plot No. 445.

3. Having regard to the above, this Court is of the view that the statements in the objection filed

by the appellants that there are other contiguous lands occupied cannot be entertained in this proceedings.

4. Liberty is reserved to the appellants to take out independent proceedings in respect of the other lands under unauthorized occupation and take steps in respect of any incorrect statements made in the report of the State.

5. With the aforesaid observations, M.A.T. No. 102 of 2025 shall stand disposed of.

6. In view of the disposal of the instant appeal itself, the connected application being CAN 1 of 2026 shall also stand disposed of.

7. There will be no order as to costs.

8. All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)

(Om Narayan Rai, J.)