

D/L- 17
21/05/2026
Ct. No.-19
Aritra

WPA 11218 of 2026

Asia Pacific Globex Pvt. Ltd.

Vs.

The State of West Bengal & Ors.

Mr. Aniruddha Chatterjee, Sr. Adv.,
Mr. Ranabir Raychowdhury
Mr. Tanmoy Mukherjee
Mr. Arijit Dey
Ms. Rajkumari Priyanka Devi

....for the petitioner

Mr. Dhiraj Kr. Trivedi, Sr. Adv.
Mr. Sunil Gupta
Ms. Swapna Jha

....for the State

The petitioner has challenged the notice dated May 11, 2026 issued by the Forest Range Officer, Ukhra Range.

Mr. Chatterjee, learned senior advocate appearing for the petitioner submits that Section 33(1A) of the Indian Forest Act, 1927 provides for imposition of penalty but do not empower the authorities to evict a person from the forest land.

Mr. Trivedi, learned senior advocate representing the State draws the attention of the Court to the West Bengal Amendment of Section 33 (1A) and submits that the authority has also the power to direct eviction. Mr. Trivedi submits that the petitioner is not in possession of any portion of the plot being R.S./L.R. plot No.406. He further submits that taking advantage of the pendency of this writ petition, the petitioner has erected certain pillars on the said property.

Mr. Chatterjee, learned senior advocate for the petitioner submits that the pillars were erected by the petitioner sometimes in the year 2018. However, Mr. Chatterjee, upon instruction, submits that no further construction shall be made by the petitioner and the petitioner shall also not change the nature and character of the plot in question until further orders.

Such submission of Mr. Chatterjee is placed on record.

It *prima facie* appears to this Court that R.S./L.R. plot No.406 is recorded as “Jungle” in the R.S/L.R. Record of Rights. The petitioner has preferred an appeal under Section 51A (5) of the West Bengal Land Reforms Act before the District Land & Land Reforms Officer.

Mr. Chatterjee submits that such appeal is still pending.

Mr. Trivedi, learned senior advocate appearing for the State submits that the said plot belongs to the Forest Department as would be evident from the recording in the Records of Rights.

However, from the materials disclosed in the writ petition, it *prima facie* appears to this Court that a terms of settlement was filed in Civil Rule No.587-588 of 1958 in connection with an application under Article 226 of the Constitution of India wherein the petitioners therein gave up possession to the Government in respect of C.S. Plot No.1079, 944 and 50 acres of land lying on the southern portion of C.S. Plot No.131 within Mouza-Kamalpur and

from the schedule annexed thereto it appears that plot No.406 measuring an area of 127.46 acres were allowed to be retained by the petitioner therein.

The issue that arises for consideration is whether the petitioner has acquired any right in respect of R.S./L.R. Plot No.406 or it stood vested with the Forest Department. Such issue can be decided after the report in the form of an affidavit is filed.

Mr. Trivedi prays for some time to file a report in the form of an affidavit.

Let such report in the form of an affidavit be filed by the 4th respondent on or before June 12, 2026 upon serving an advance copy of the same to the learned advocate on record of the petitioner.

Exceptions thereto, if any, shall be filed on or before June 17, 2026.

There shall be an order of stay of operation of the notice dated May 11, 2026 till the end of the month of July, 2026 or until further orders, whichever is earlier.

List this matter on June 18, 2026 under the heading "Motion".

(Hiranmay Bhattacharyya, J.)