

24
rkd 06.04.2026
Ct.05

W.P.A. 12192 of 2025

Omar Ali Sha & Ors.

-vs-

State of West Bengal & Ors.

Ms. Gopa Biswas,
Ms. Brinta Dutta,
Mr. Naman Shah

....for the petitioners.

Mr. Rahul Karmakar,
Mr. Saptarshi Datta,
Ms. Srinjita Ghosh,
Mr. Pourush Kanti Pasl,
Mr. Debdut Hore

....for the respondent no.6.

Mr. Rajarshi Basu,
Mr. Anirban Datta

....for the State.

1. Affidavit-of-service filed on behalf of the petitioners is taken on record.
2. Learned advocate representing the petitioners submits that land of the petitioners under Dag Nos. 4991, 5004 and 5013 under Mouza-Matiagacha, PS. Rajarhat North 24 Parganas is being illegally used by the respondent no.6 for running a Mixing Plant and keeping building materials on the aforesaid land.
3. It is also submitted that complaint dated 24th December, 2024 was made before the concerned police authorities seeking necessary steps to be taken in order to redress the grievance of the petitioners.
4. Mr. Karmakar, learned advocate representing respondent no.6 submits that name of the

respondent no.6 was not rightly stated in the cause title of the writ petition.

5. In addition thereto, it is submitted that excluding land comprised in Dag No.4991 under Mouza-Matiagacha, PS- Rajarhat North 24 Parganas other land under several dag numbers as indicated in the communication dated 10th June, 2025 by the Inspector-in-Charge, Rajarhat Police Station, Bidhannagar Police Commissionerate comes under the purview of the lease deed executed in favour of the respondent no.6.
6. It is also submitted that based on such lease deed respondent no.6 is using the land in question authorizedly.
7. Learned advocate representing the State respondents has filed a communication dated 10th June, 2025 of Inspector-in-Charge, Rajarhat Police Station, Bidhannagar Police Commissionerate and same is taken on record.
8. On perusal of the communication dated 10th June, 2025, it appears that land under Dag Nos.4991, 5004 and 5013 are owned by the petitioners as case made out in the writ petition. At the same time it is also stated in the said communication that land under Dag Nos. 5004 & 5013 which can be used by the respondent no.6 for running mixing plant.
9. However, it transpires from the said

communication that land under Dag No.4991 is not the piece of land over which right accrued in favour of the respondent no.6.

10. It is also stated in the communication that not only mixing plant is being run but building materials are stacked on the land under Dag No.4991.
11. Inspector-in-Charge, Rajarhat Police Station is directed to cause an enquiry and file a further report disclosing whether land under Dag Nos. 4991, 5004 and 5013 is used by the respondent no.6 or not.
12. Let such report be filed by fortnight from date.
13. List the matter under the same heading in the monthly combined list of May, 2026.
14. Leave is granted to the learned advocate representing the petitioners to amend the cause title and describe respondent no.6 appropriately in course of this day.

(Saugata Bhattacharyya, J.)