

S/L 27
05.03.2026
Court. No. 25
suvayan

WPA 25165 of 2025
With
CAN 1 of 2026
(Application not in the file)

Harisadhan Mondal
Vs.
The State of West Bengal & Ors.

Mrs. Pampa Dey (Dhabal)
Ms. Sangita Banerjee
Mr. Biswarup Chatterjee

...for the Petitioner.

Mr. Pritam Chowdhury
Ms. Tuhina Parvin

...for the State.

1. The grievance of the petitioner in the present writ application that the private respondent has unauthorizedly constructed a building by filling of the pond over 'pukur' over the plot being Dag no. 2918, Khatian nos. 2598, 2599, 2600, 2601 and 2602 of Mouza – Paschimpara, J.L. no. 089, Block – Patrasayer under the P.S. Patrasayer in the District – Bankura.
2. This Court has called for the report and accordingly ADM (General), Bankura has filed the report after calling for a report from Block Land and Land Reforms Officer. As per the report of the BL&LRO dated 17.11.2025 reads as follows:

"1) An earthen road exists in the bank of suit plot, which is used by the inhabitants of that locality since long times ago. No Bata plot is created, so it is said that the road exists in the suit plot.

2) A mud house is building up on the plot no. 2918 of Mouza Paschimpara, J.L. no. 89 since long time ago. But two year ago a Pacca building is

made after demolish the mud house and six month ago from this time this Pacca house constructed to a single stored building.

3) Some earth is fallen to the suit pond from the road.

This is for your information.”

3. Subsequently, the BL&LRO has modified the report instead of single storied it has been stated that it is a double storied. On the basis of the report of the BL&LRO, the ADM (General), Bankura has submitted the following report which reads as follows:

“It appears from the said report of the Assistant Director of Fisheries, Bankura that upon physical verification, the following points were observed:

1. The area corresponding to Plot No. 2918 is presently a fully weed-infested pond and is not suitable for pisciculture due to dense vegetation and stagnant condition.

2. An earthen road has been constructed along the side bank of the pond. The road is primarily used by local villagers for walking and general passage.

3. No illegal filling or encroachment activity was found at the time of spot verification.

4. As per the local verification and records, the plot remains classified as a pond and continues to exist in its original form, though not being utilized for any fisheries purpose.

Photographic evidence with geotagging was collected at the spot during inspection, which is enclosed with this report.

The Block Land and Land Reforms Officer, Patrasayer Block has also conducted a field enquiry on the suit plot vide his Memo No. 1066/LR/Patrasayer/25 dated 17.11.2025. A copy

of the report is annexed herewith and is marked as "R-2".

It appears from the said report that:

- 1. There exists an earthen road on the bank of the suit plot since long;*
- 2. There is existence of a pucca building on the suit plot, which was constructed by replacing a mud house about six months ago. This mud house was constructed since long;*
- 3. A quantity of earth from the road fallen off into the suit pond."*

4. This Court is not satisfied with the report of the BL&LRO as well as the ADM (General), Bankura. Accordingly, this Court appointed Mr. Biswaroop Bhattacharyya and Mr. Srijib Chakraborty as joint Special Officers for the purpose to see the demarcation of the aforesaid property be conducted in a proper manner as per the land record and sketch map of the property.
5. The said property shall be demarcated by the concerned Revenue Inspector in presence of the Special Officers as well as in presence of the District Magistrate, Bankura by taking into consideration of the record of the land in question and to ascertain what is the nature of the land, whether any construction is made by any person or any authorities. If any construction is made, details of the persons be ascertained.
6. The Revenue Inspector shall submit report to the Special Officers and the Special Officers shall submit report before this Court on the next date fixed.
7. The remuneration of the Special Officers is fixed Rs. 25,000/- each and shall be paid by the petitioner.

8. Let the report be filed before this Court within three weeks from date.
9. List the matter on March 24, 2026.

(Krishna Rao, J.)