

22.07.2026
Item No.11
Ct. No.19
KS

W.P.A. 231 of 2026
Dehipada Ghosal @ Ghoshal & Anr.
Vs.
The State of West Bengal & Ors.

Mr. Biswajit De
Mr. Dwarikanath Mukherjee
Ms. Mallika Manna
Mr. Subhojit De

..... For the Petitioners

Mr. Nilanjan Bhattacharjee, Ld. S.S.C.
Mrs. Joyita Dhar Chakraborty
Ms. A. Banerjee
Mr. A. Adak

.....For the State

Md. Sarowar Jahan
Mr. Sayantan Hazra
Ms. Shalini Sen
Ms. Sahina Pervin
Mr. E. Kayer

.....For the Pvt. Respondent

1. Parties are represented through their respective learned counsel.
2. By filing the instant writ petition, the writ petitioners have prayed for issuance of appropriate Writ/Writs against the respondent authorities, more specifically, the respondent no.6 authority to consider the representation dated 09.09.2025, as submitted by the writ petitioners, in accordance with law alongwith other ancillary reliefs, particulars of which have been mentioned in the prayer portion of the instant writ petition.

3. At the time of hearing, learned advocate appearing on behalf of the writ petitioners, at the very outset, draws the attention of this Court to paragraph no.2 of the instant writ petition. It is submitted that it is the specific case of the writ petitioners that they are the Raiyats of L.R. Plot No.1604 in Mouza – Ranirbazar in the District of Paschim Medinipur.
4. To substantiate his contention, learned advocate appearing on behalf of the writ petitioners took me to Page Nos.21 and 22 of the instant writ petition being the copies of the Record of Right of the relevant plots.
5. It is submitted that it is the specific case of the present writ petitioners that the private respondents have wrongfully encroached the P.W.D. land i.e. the Nayanjuli situated in L.R. Plot No.1415 in the self-same Mouza, as a result whereof, the writ petitioners are facing extreme difficulty to get easy egress and ingress to the writ petitioners' own land, particulars of which has been mentioned in Paragraph 2 of the instant writ petition.
6. It is submitted further that by way of a representation dated 09.09.2025, a copy of which has been annexed at page 35 of the instant writ

petition, the writ petitioners have ventilated their grievance with the respondent no.6 authority but, in vain.

7. It is, thus, submitted that appropriate relief/reliefs may be granted to the writ petitioners, in terms of the prayers made in the instant writ petition.
8. Mr. Nilanjan Bhattacharjee, learned senior advocate appearing on behalf of the respondent/State, in his usual fairness, submits before this Court that the respondent no.6 authority may be directed to consider the representation dated 09.09.2025, as submitted by the writ petitioners, in accordance with law.
9. Mr. Jahan, learned advocate appearing on behalf of the private respondents, however, vehemently opposes the prayer of the writ petitioners.
10. It is submitted by Mr. Jahan that the allegation, as made in the instant writ petition, is contrary to the truth. It is further submitted that the private respondents have made construction over their own Raiyati land i.e. in Plot No.1607.
11. It is further submitted by Mr. Jahan that no part of the P.W.D. land has been encroached at the instance of the private respondents.

12. Such being the position, this Court while disposing the instant writ petition, directs the respondent no.5 authority to make a field verification at the disputed plot after giving prior notice upon the writ petitioners and the private respondents and shall submit a demarcation report with the respondent no.6 authority positively within 30 working days from the date of communication of the server copy of this order upon him.
13. The respondent no.6 authority on receipt of the demarcation report from the respondent no.5 authority, shall cause service of notice upon the writ petitioners and the private respondents and shall provide them the copies of the demarcation report, as would be submitted by the respondent no.5/B.L. & L.R.O. before him. The respondent no.6 authority is further directed to consider the representation dated 09.09.2025, in accordance with law and in the light of the demarcation report as would be submitted by the respondent no.5 authority and after giving due opportunity of hearing both to the writ petitioners and the private respondents and/or their authorized representatives, shall pass a reasoned order and

shall forthwith communicate the same both to the writ petitioners and the private respondents.

14. The entire exercise, as indicated in the foregoing paragraphs, is to be completed within 45 working days from the date of receipt of demarcation report by the respondent no.5 authority.

15. The limits, as fixed by this Court, are peremptory and mandatory.

16. It is further directed that in the event, while passing the reasoned order, the respondent no.6 authority finds sufficient merit in the representation of the writ petitioners, he is directed to take all consequential action forthwith.

17. With the aforementioned observation, the instant writ petition is disposed of.

18. It is, however, made clear that while disposing the instant writ petition, this Court has not gone into the merits of the representation dated 09.09.2025 and thus, all points are kept open for adjudication by the respondent no.6 authority.

19. Urgent photostat certified copy of this order, if applied for, be furnished to the parties expeditiously upon compliance of all legal formalities.

(PARTHA SARATHI SEN, J.)