

08
18.04.2024
AGM

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A 10396 of 2024

**Dulal Bhunia & Ors.
-versus
The State of West Bengal & Ors.**

Mr. Sahen Shah.
Mr. Aninda Bhattacharya.
Mr. Soumen Barman.
Mr. Sudip Sarkar.

... for the petitioner.

Mr. Vimal Kumar. Shahi.
Ms. Rupsha Chakraborty.

... for the State.

The petitioners complain that the West Bengal State Rural Development Agency, through the respondent no. 7, who is the contractor, has taken steps to construct road over their private land. Objection filed against such unauthorised construction is pending consideration.

Learned advocate representing the State respondents has obtained instruction from the Executive Engineer of the West Bengal State Rural Development Agency dated 15th April, 2024 which mentions that no work has yet been done in respect of the disputed stretch of the road.

A communication has been made by the Executive Engineer of the West Bengal State Rural Development Agency to the contractor with a request not to construct road over the disputed land.

The Executive Engineer has opined that steps will be taken in the matter only after the land is demarcated by the Block Land & Land Reforms Officer.

In view of the facts and circumstances mentioned hereinabove, the respondent no. 7 is directed not to make construction of the road over the disputed plot of land prior to the same being demarcated by the concerned Block Land & Land Reforms Officer.

The respondent no. 4 shall oversee the matter and ensure that the private rayati land of the petitioners is not encroached by the respondent no. 7 at the time of constructing the road.

The writ petition stands disposed of.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)