

S/L 14
10.06.2025
Court. No. 19
Sourav

WPA 460 of 2025

Tapan Das
Vs.
The State of West Bengal & Ors.

Mr. Partha Sarathi Mondal
Mrs. Riya Paul
Ms. Tithi Sarkar

...for the petitioner.

Mr. Supratim Dhar, Sr. Adv.
Mrs. Kakali Naskar

...for the State.

1. Three numbers of affidavits-of-service as filed on behalf of the writ petitioner are taken on record.
2. Learned advocate for the respondent/State files a report dated 19.05.2025 as prepared by the respondent no. 4/authority.
3. By filing the instant writ petition, the writ petitioner has prayed for issuance of appropriate writ/writs against the respondents/authorities, more specifically, against the respondent no. 7/authority for removal of the unauthorized encroachment as alleged to be made by the private respondents in front of the land of the writ petitioner particulars of which has been mentioned in the paragraph no. 3 of the instant writ petition causing thereby serious obstruction as to the free egress and ingress of the writ petitioner and his family members to the said plots of land belonging to the writ petitioner.
4. It is submitted on behalf of the writ petitioner that despite submission of the representation before the

respondent no. 7/authority, no action has been taken by him.

5. In course of her submission, learned advocate appearing on behalf of the respondent/State at the very outset draws attention of this Court to the report dated 19.05.2025 as submitted by the respondent no. 4/authority. It is submitted by her that from the said report, it would reveal that the land of the PWD authority situated at Plot Nos. 2990, 3026 and 3027 which are/is located at the Eastern side of the land of the writ petitioner has/have been encroached by the private respondents. It is further submitted on behalf of the respondent/State that such demarcation report has already been submitted with the respondent no. 7/authority.
6. Such being the position, this Court while disposing the instant writ petition directs the respondent no. 7/authority to serve copies of the demarcation report of the respondent no. 4/authority upon the writ petitioner and the private respondents and after giving due opportunity of hearing both to the writ petitioner and the private respondents shall pass a reasoned order upon the representation of the writ petitioner in the light of the said demarcation report as submitted by the respondent no. 4/authority and shall communicate his reasoned order both to the writ petitioner and the private respondents forthwith preferably by mail, if the mail details of the writ

petitioner and the private respondents are provided to him at the time of hearing.

7. It is made clear that the entire exercise as indicated in the foregoing paragraphs is to be completed within 45 working days from the date of communication of the server copy of this order.
8. Liberty is given to the learned advocate on record for the writ petitioner to communicate the server copy of this order to the respondent no. 7/authority for his due compliance.
9. It is further ordered that in the event, the respondent no. 7 while passing the said reasoned order finds sufficient merit in the representation of the writ petitioner, he is directed to initiate a proceeding under Section 10 of the West Bengal Highways Act, 1964 soon thereafter.
10. With the aforementioned observation, the instant writ petition being **WPA 460 of 2025** is disposed of.
11. Urgent photostat certified copies of this order, if applied for, be supplied to the parties upon compliance with all the necessary formalities.

(Partha Sarathi Sen, J.)