

N.22Sl
151/CL

WPA 6860 of 2025

Manoranjan Jana

-vs-

The State of West Bengal & Ors.

31.10.2025
SL-07
Ct.19
(S.R.)

Mr. Debdip Mondal
Mr. Md. Aasif Iqbal

... for the petitioner.

Mr. Chandi Charan De, Ld. AGP
Mr. Anirban Sarkar

... for the State.

1. Affidavit of service as filed today on behalf of the writ petitioner is taken on record. None appears on behalf of the private respondent nos.9 to 11 despite service.
2. At the time of hearing, learned advocate appearing on behalf of the writ petitioner at the very outset draws attention of this Court to page no.25 of the instant writ petition, being a copy of the L.R. Khatian No.901 in Mouza - Mandirtala under Police Station - Sagar, District – South 24-Parganas.
3. It is submitted that from the copy of the said BL&LRO record, it would reveal that LR Plot No.2817 was recorded in the name of the writ petitioner to the extent of 0.1700 acres.
4. It is submitted on behalf of the writ petitioner that it is the grievance of the writ petitioner that in front of the aforementioned land of the writ petitioner, the private respondents have constructed an unauthorized construction over the PWD's land,

particulars of which has been mentioned in paragraph no.3 of the instant writ petition, in such a manner that the writ petitioner is facing extreme difficulty to get easy access to the writ petitioner's said property as mentioned (Supra).

5. It is further submitted that under cover of a representation dated 28.02.2025, the writ petitioner ventilated his grievance with the respondent authorities but in vain. It is, thus, submitted that appropriate relief and/or reliefs may be granted to the writ petitioner in terms of the prayers made in the instant writ petition.
6. Mr. De, learned AGP appearing on behalf of the respondent/State in his usual fairness submits before this Court that the respondent no.3/authority may be directed to consider the representation dated 28.02.2025 as submitted by the writ petitioner, in accordance with law.
7. On careful consideration of the entire materials as placed before this Court and after hearing the learned advocates for the contending parties, this Court while disposing the instant writ petition directs the respondent no.5/authority to make a field verification on the disputed plot after causing prior service of notices upon the writ petitioner and the private respondent nos.9 to 11.
8. The respondent no.5/authority is further directed to

submit a demarcation report and/or field verification report with the respondent no.3/authority on the basis of such field verification report positively within 30 working days from the date of communication of the server copy of this order.

9. The respondent no.3/authority on receipt of the demarcation report and/or field verification report from the respondent no.5/authority shall cause service of notices upon the writ petitioner and the private respondent nos.9 to 11 and shall provide them the copies of the aforementioned demarcation report and/or field verification report.
10. The respondent no.3/authority is further directed to give a fair chance of hearing both to the writ petitioner and the private respondent nos.9 to 11 and/or their authorized representatives and thereafter shall pass a reasoned order upon the representation dated 28.02.2025 as submitted by the writ petitioner in the light of the demarcation report and/or field verification report, as would be submitted by the respondent no.5/authority before him and soon thereafter shall communicate the same both to the writ petitioner and the private respondent nos.9 to 11 and/or their authorized representative preferably by mail, if the email details of the writ petitioner and the private

respondents are provided to him at the time of hearing.

11. The entire exercise, as indicated in the forgoing paragraphs, is to be completed by the respondent no.3/ authority positively within 45 working days from the date of receipt of the field verification report and/or demarcation report from the respondent no.5/ authority.
12. The time limits, as fixed by this Court, are mandatory and peremptory.
13. Liberty is given to the learned advocate-on-record for the writ petitioner to communicate the server copy of this order to the respondent nos.3 and 5/authorities forthwith. The respondent nos.3 and 5/authorities are directed to act on the server copy of this order.
14. Before parting with, it is made clear that in the event while passing the reasoned order the respondent no.3 finds sufficient merit in the representation dated 28.02.2025 of the writ petitioner, he shall forthwith initiate a proceeding under Section 10 of W.B. Highways Act, 1964 for removal of the encroachment.
15. Before parting with, it is further made clear that since affidavits have not been called for, the allegations as made in the instant writ petition are deemed to have been denied.

16. With the aforementioned observations, the instant writ petition being **WPA 6860 of 2025** is disposed of.
17. There shall, however, no order as to costs.
18. 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.)