

S/L 10
18.06.2025
Court. No. 19
Suwayan

WPA 6994 of 2025

**Paritosh Bera & Anr.
Vs.
The State of West Bengal & Ors.**

*Mr. Yash Raj Roy
Ms. Sabera Khatun*

...for the petitioners.

*Mr. Ayan Banerjee
Mr. Amrita Lal Chatterjee*

...for the State.

Mr. Manik Das

...for the respondent nos. 8 to 10.

1. The affidavit-of-service as filed on behalf of the writ petitioners is taken on record.
2. By filing the instant writ petition the writ petitioners have prayed for issuance of appropriate writ/writs against the respondents/authorities more specifically against the respondent no. 5 to take appropriate steps for passing a reasoned order on the basis of their representation dated 12.03.2025 a copy of which has been annexed at page no. 16 of the instant writ petition.
3. In course of hearing Mr. Roy, learned Advocate appearing on behalf writ petitioners at the very outset draws attention of this Court to page nos. 12 and 13 of the instant writ petition being copies of the two LR RoR. It is submitted that from the said LR RoR it would reveal that the present two writ petitioners are the Riyats in respect of plot no. 209 in Mouza – Deuli, District – Purba Medinipur. It is submitted that under cover of the letter/representation dated 12.03.2025 it

was brought to the notice of the respondent no. 5/authority that the private respondent nos. 8 to 10 had made an illegal construction over the PWD road causing serious obstruction to the egress and ingress to the writ petitioners to their own property over the aforementioned plot of land.

4. Such contention is disputed on behalf of the respondent nos. 8 to 10. It is submitted on behalf of the respondent nos. 8 to 10 that the allegation as made in the said representation dated 12.03.2025 as well as in the instant writ petition is unfounded.
5. Mr. Banerjee, learned Advocate appearing on behalf of the respondents/State and its functionaries in his usual fairness submits before this Court that the respondent no. 5 may be directed to consider the representation dated 12.03.2025 of the writ petitioners in accordance with law.
6. Considering 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. 6/authority to cause field verification securing a prior service of notice upon the writ petitioners and the private respondents and thereafter to prepare a field verification report and/or demarcation report which is to be submitted by him with respondent no. 5 positively within 30 working days from the date of communication of the server copy of this order upon him.

7. The respondent no. 5/authority on receipt of the said demarcation report and/or field verification report is directed to consider the representation dated 12.03.2025 in accordance with law and after giving an opportunity of hearing both to the writ petitioners as well as to the private respondents shall pass a reasoned order in writing and shall communicate the same to the writ petitioners and the private respondents preferably by mail, if the mail details of the writ petitioners and the private respondents are provided to him at the time of hearing.
8. The entire exercise as indicated in the foregoing paragraph is to be completed by the respondent no. 5/authority within 60 working days from the date of receipt of the report from the respondent no. 6/authority.
9. The time limits as fixed by this court are mandatory and peremptory.
10. Liberty is given to the learned Advocate-on-Record for the writ petitioners to communicate the server copies of this order to the respondent nos. 5 and 6 for their immediate compliance.
11. The respondent nos. 5 and 6/authorities are directed to act on the server copies of this order.
12. Before parting with, it is made clear that since affidavits have not been called for the allegations made in the instant writ petition are deemed to have been denied.

13. With the aforementioned observation, the instant writ petition being WPA 6994 of 2025 is disposed of.
14. Urgent Xerox certified copy of this order, if applied for, be given to the parties upon compliance of all necessary formalities.

(Partha Sarathi Sen, J.)