

N.22Sl
151/CL

WPA 8189 of 2025

Jayanti Dey & Ors.

-vs-

31.10.2025
SL-08
Ct.19
(S.R.)

The State of West Bengal & Ors.

Mr. A. Palit
Mr. Sk. Abdulla Mondal
Mr. Syed Murshid Alam
Mr. Subrata Ghosh
Mr. Nabiul Islam ... for the petitioners.

Mr. Mrinal Kanti Ghosh
Mr. Subhasri Chatterjee ... for the State.

Mr. Atanu Biswas
Mr. Mrinal Saha

... for the respondent nos.9 & 10,
13 to 23, 26 to 28 & 30 to 33.

1. The affidavit of service as filed today on behalf of the writ petitioners is taken on record.
2. At the time of hearing, learned advocate appearing on behalf of the writ petitioners submits before this Court that it is the grievance of the writ petitioners that they are the joint owners of LR Plot No.289 in Mouza – Srirampur, District – Purba Bardhaman, particulars of which has been mentioned in paragraph 4 of the instant writ petition.
3. It is submitted on behalf of the writ petitioners that it is the grievance of the writ petitioners that on account of some illegal constructions over the PWD's land at the instance of the private respondents in front of the writ petitioners' aforementioned property, the writ petitioners are

facing difficulty in getting their free egress and ingress to their own property as mentioned (Supra).

4. It is further submitted that on 02.12.2024 the writ petitioners submitted a representation with the respondent authorities, a copy of which has been annexed to page nos.21 and 22 of the instant writ petition but of no effect.
5. Learned advocate appearing on behalf of the respondent/State submits before this Court that no material could be placed before this Court that the appropriate authority of the respondent/State has at all received the representation dated 02.12.2024.
6. On behalf of the private respondents it is submitted that the instant writ petition is required to be adjudicated upon exchange of affidavits.
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 finds that for effective adjudication of the instant writ petition no further affidavits are required to be called for.
8. It further appears to this Court that no material is also required for proper adjudication of the instant writ petition to substantiate that the representation dated 02.12.2024 as made by the writ petitioners was at all received by the respondent no.8.a/ authority.

9. This Court, thus, while disposing the instant writ petition directs the respondent no.7/authority to make a field verification at the disputed plot after causing prior service of notices upon all the writ petitioners, the private respondents and all other stakeholders, if he deems fit and proper and shall submit his demarcation report and/or field verification report with the respondent no.8.a/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.
10. The respondent no.8.a/authority on receipt of the demarcation report and/or field verification report from the respondent no.7/authority shall cause service of notices upon the writ petitioners, the private respondents and any other stakeholders, if there be any.
11. The respondent no.8.a/authority is further directed to give a fair chance of hearing both to the writ petitioners, private respondents, any other stakeholders and/or their authorized representatives and soon thereafter shall pass a reasoned order in respect of the representation dated 02.12.2024 as submitted by the writ petitioners in the light of the demarcation report and/or field verification report, as would be

submitted by the respondent no.7/authority before him. The respondent no.8.a/authority is further directed to communicate such reasoned order to the writ petitioners, the private respondents and/or to the other stakeholders, if there be any, preferably by mail, if the email details of the writ petitioners, the private respondents and any other stakeholders are provided to him at the time of hearing.

12. The entire exercise, as indicated in the forgoing paragraphs, is to be completed by the respondent no.8.a/ authority positively within 45 working days from the date of receipt of the demarcation report from the respondent no.7/ authority.
13. The time limits, as fixed by this Court, are mandatory and peremptory.
14. Liberty is given to the learned advocate-on-record for the writ petitioners to communicate the server copy of this order along with a copy of the instant writ petition together with all its annexures to the respondent nos.7 and 8.a/authorities forthwith.
15. The respondent nos.7 and 8.a/authorities are directed to act on the server copy of this order.
16. 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 and, thus, before the respondent no.8.a/authority all points are kept

open.

17. With the aforementioned observations, the instant writ petition being **WPA 8189 of 2025** is disposed of.
18. There shall, however, no order as to costs.
19. 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.)