

S/L 49
18.07.2025
Court. No. 19
Swayan

WPA 10182 of 2025

**Ajit Kumar Samanta
Vs.
The State of West Bengal & Ors.**

*Mr. Shahan Shah
Mr. Soumen Barman*

...for the petitioner.

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

...for the State.

*Mr. Manoranjan Jana
Ms. Mitali Jana*

...for the private respondents.

1. The affidavit-of-service as filed today on behalf of the writ petitioner is taken on record.
2. The parties to the instant writ petition are represented by their respective Counsels.
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. 3/authority for removal of the encroachment as has been allegedly done by the private respondents in front of the land of the writ petitioner particulars of which has been mentioned in paragraph no. 2 of the instant writ petition causing thereby obstruction as to the free egress and ingress to the writ petitioner's land.
4. At the time of hearing, Mr. Shah, learned Advocate appearing on behalf of the writ petitioner at the very outset draws attention of this Court to page nos. 13 and 14 of the instant writ petition being a copy of the

representation dated 21.03.2025 as submitted by the writ petitioner with the respondents/authorities, requesting them to take appropriate steps for removal of such encroachment. It is contended that the respondents/authorities have not taken any steps so far.

5. Such contention is, however, opposed by the learned Advocate for the private respondents.
6. Mr. De, learned AGP appearing for the respondents/State and its instrumentalities in his usual fairness submits before this Court that the respondent no. 3/authority may be directed to dispose of the representation of 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 directs the respondent no. 6/authority to make a field verification after prior service of notice upon the writ petitioner and the private respondents and thereafter he shall submit a demarcation report and/or field verification report with the respondent no. 3/authority within 30 working days from the date of communication of the server copy of this order.
8. The respondent no. 3/authority on receipt of such field verification report and/or demarcation report from the respondent no. 6/authority shall cause service of notice upon the writ petitioner and the private respondents and after giving an opportunity of hearing to the writ

petitioner and the private respondents and/or their authorized representatives shall pass a reasoned order in the light of the aforementioned demarcation report and/or field verification report as would be submitted by the respondent no. 6 before him.

9. The entire exercise as indicated in the foregoing paragraph is to be completed by the respondent no. 3/authority within 45 working days from the date of receipt of the report from the respondent no. 6/authority.
10. The time limits as fixed by this Court are mandatory and peremptory.
11. Liberty is given to the learned Advocate-on-Record for the writ petitioner to communicate the server copy of this order both to the respondent nos. 3 and 6.
12. The respondent nos. 3 and 6 are directed to act on the basis of the server copy of this order.
13. With the aforementioned observation, the instant writ petition being WPA 10182 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.)