

16. 07.08.2025
Court No.19.

(Pritam)

WPA 13691 of 2025

Sudhangshu Ghosh & Anr.

-Vs.-

The State of West Bengal & Ors.

Mr. Prantik Ghosh,
Ms. Shravani Ghosh.

....for the petitioners.

Mr. Sudipta Panda,
Mr. Abdus Salam.

....for the State/respondents.

1. At the time hearing, Mr. Ghosh, learned advocate appearing for the writ petitioner craves for leave to add Assistant Engineer, Barasat Highway Sub-Division, P.W.(Roads) Dte as party respondent.
2. Leave, as prayed for, is granted.
3. Learned advocate for the writ petitioner is directed to insert the name and details of the Assistant Engineer, Barasat Sub-Division, P.W(Roads), Dte as party respondent no.7 by making necessary insertion in the cause-title of the instant writ petition in course of this day in court.
4. Affidavit-of-service filed on behalf of the writ petitioner is taken on record.
5. None appears on behalf of the private respondent no.5 despite service.

6. The writ petitioner and the State respondent and its instrumentalities are represented by their respective counsels.
7. By filing the instant writ petition the writ petitioners have prayed for issuance of appropriate writ/writs against the respondent authorities more specifically against the added respondent no.7 to consider the representation of the writ petitioner as submitted on June 9, 2025, a copy of which is annexed to page 29 & 30 of the instant writ petition.
8. At the time hearing, Mr. Ghosh, learned advocate appearing for the writ petitioner at the very outset draws the attention of this court to paragraph 3 of the instant writ petition. It is submitted that it is the specific case of the writ petitioner that they are the absolute owners of the property, particulars of which has been mentioned in paragraph 3 of the instant writ petition.
9. It is further submitted by Mr. Ghosh that it is the further case of the writ petitioner that the private respondents have made an illegal encroachment over the PWD Roads in front of the writ petitioners' landed property causing thereby serious hindrance to the very ingress and egress to the writ petitioners' said property.

10. It is, thus, submitted by Mr. Ghosh that appropriate relief/reliefs may be granted to the writ petitioner in accordance with law.
11. Learned advocate appearing for the State respondent submits before this court that from the report as filed today on behalf of the respondent/State, which has been taken on record, it would reveal that under cover of a memo dated June 25, 2025, the added respondent no.7 requested the BL & LRO, Amdanga, North 24 parganas to submit a joint demarcation report. It is further submitted that the added respondent no.7 also intimated such fact to the DL & LRO, North 24 parganas, Barasat.
12. 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 BL & LRO, Amdanga, North 24 parganas to conduct a joint inspection of the property in question after securing proper service of notice upon the writ petitioners and the private respondents, if not done in the meantime and soon thereafter he shall submit a field verification report/demarcation report with the added respondent no.7 authority within 30 working days from the date of communication of the server copy of this order.
13. The added respondent no.7 authority on receipt of such report from the BL & LRO, Amdanga, North 24

parganas shall cause service of notice upon the writ petitioners as well as the private respondents and shall provide them with copies of such demarcation report and shall fix a date of hearing.

14. The added respondent no.7 is further directed to consider the representation of the writ petitioners as submitted on June 9, 2025 in accordance with law, in the light of the said demarcation report and/or field verification report and after giving opportunity of hearing both to the writ petitioners and to the private respondents and/or their authorized representatives shall pass a reasoned order and shall forward the same both to the writ petitioners and to the private respondents preferably by e-mail, if the e-mail details to the writ petitioners and the private respondents are provided to him at the time of hearing.
15. The entire exercise as indicated in the foregoing paragraphs is to be completed by the respondent no.7 within 90 working days from the date of receipt of demarcation report/field verification report from the BL & LRO, Amdanga, North 24 parganas.
16. The time-limits as fixed by this court are mandatory and peremptory.
17. Before parting with, it is further made clear in the event the added respondent no.7 while passing a reasoned order finds sufficient justification in the representation of the writ petitioner, he shall forthwith

initiate proceeding under Section 10 of the West Bengal Highways Act, 1964 for removal of the encroachments.

18. Liberty is given to the learned advocate-on-recorded to communicate the server copies of this order to the added respondent no.7 as well as to the BL & LRO, Amdanga, North 24 parganas who are directed to act on the server copies of this order.
19. With the aforementioned observations, WPA 13691 of 2025 is disposed of.

(Partha Sarathi Sen, J.)