

S/L 8
10.09.2025
Court. No. 19
Sourav

WPA 17132 of 2025

**Rebati Majumder
Vs.
The State of West Bengal & Ors.**

Mr. Timir Baran Saha

...for the petitioner.

*Mr. Chandi Charan De, Ld. AGP
Ms. Reshma Chatterjee*

...for the State.

1. The affidavit-of-service as filed today on behalf of the writ petitioner is taken on record.
2. In course of hearing, Mr. Saha, learned advocate appearing on behalf of the writ petitioner has filed a copy of the memo dated 13.08.2025 as issued by the BL & LRO, Karimpur-II at Mahisbathan, Nadia wherefrom it reveals that he proposed to hold a demarcation programme on account of filing of the instant writ petition. The copy of the memo dated 13.08.2025 as filed by Mr. Saha is also taken on record.
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. 6/authority commanding him to take appropriate steps for removal of the encroachment as allegedly made by the private respondents herein over the P.W.D. land in front of the land of the writ petitioner, particulars of which has been mentioned in paragraph no. 2 of the instant writ petition, as a result whereof according to the writ petitioner, he is facing

difficulty to get easy access to his property as mentioned hereinabove.

4. On careful perusal of the entire materials as placed before this Court and after hearing the learned advocates for the contending parties, it appears that the writ petitioner has made a representation with the respondent no. 6/authority on 01.01.2025 requesting him to remove the encroachment which was received by the office of the respondent no. 6/authority on 31.01.2025.
5. It is thus submitted by Mr. Saha that appropriate relief/reliefs may be granted to the writ petitioner in terms of the prayers made in the instant writ petition.
6. Mr. De, learned Additional Government Pleader appearing on behalf of the respondent/State and its instrumentalities in his usual fairness submits before this Court that the respondent no. 6/authority may be directed to consider the representation dated 01.01.2025 as submitted on 31.01.2025 in accordance with law.
7. On careful perusal of the entire materials as placed before this Court, it reveals that the jurisdictional BL & LRO has already formed a team for demarcation of the property in question which was scheduled to be held on 20.08.2025.
8. Mr. Saha upon instruction submits before this Court that on the said day such demarcation programme was held.
9. Such being the position, this Court while disposing the instant writ petition directs the BL & LRO, Karimpur-II

at Mahisbathan, Nadia to submit his demarcation report with the respondent no. 6/authority within a period of 15 working days from the date of communication of the server copy of this order, if not submitted in the meantime.

10. The respondent no. 6/authority upon receipt of the demarcation report from the BL & LRO, Karimpur-II at Mahisbathan, Nadia shall cause service of notice upon the writ petitioner and the private respondents and shall provide them the copies of such demarcation report.
11. The respondent no. 6/authority is further directed to give a fair chance of hearing both to the writ petitioner and the private respondents and/or their authorized representatives and shall thereafter pass a reasoned order on the basis of the representation dated 01.01.2025 as submitted on 31.01.2025 in accordance with law in the light of the demarcation report as would be submitted by the said jurisdictional BL & LRO.
12. The entire exercise as indicated hereinabove is to be completed by the respondent no. 6/authority within 45 working days from the date receipt of the demarcation report from the said jurisdictional BL & LRO.
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 no. 6 /authority as well as the BL & LRO, Karimpur-II at Mahisbathan, Nadia.
14. The respondent no. 6/authority and the BL & LRO, Karimpur-II at Mahisbathan, Nadia are hereby directed to act on the basis of the server copy of this order.

15. The time limits as fixed by this Court are mandatory and peremptory.
16. Before parting with, it is, however, made clear that in the event while passing the reasoned order, the respondent no. 6/authority finds sufficient merit in the representation dated 01.01.2025 as submitted by the writ petitioner on 31.01.2025, he shall forthwith initiate a proceeding under Section 10 of the West Bengal Highways Act, 1964 for removal of the encroachers from the P.W.D. land.
17. With the aforementioned observations, the instant writ petition being **WPA 17132 of 2025** is disposed of.
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.)