

Item-
15. 10-11-2025

WPA 19908 of 2024

sg Ct. 19

Bimalendu Giri & Anr.
Versus
Union of India & Ors.

Mr. Sabyasachi Chatterjee
Mr. Subhrajit Saha
...for the petitioners
Ms. Rama Chakraborty
...for the UOI
Mr. Soumitra Bandyapadhyay
Mr. Srinath Singha Roy
...for the State

The affidavit of service filed in Court today is taken on record.

The petitioners claim to be the recorded owners of LR Dag No. 2078 under Khatian Nos. 3720 and 3721 within Mouza Ganeshpur, under Police Station Kakdwip, District South 24 Parganas. The petitioners allege that the private respondents have encroached upon the National Highway-117 and have unauthorizedly erected some shop rooms, buildings etc. thereby obstructing the main egress and ingress of the petitioners from their raiyati land to the National Highway. The petitioners claim to have submitted a representation before the Assistant Engineer, National Highway Sub-Division, Public Works Road Directorate, Diamond Harbour, South 24 Parganas, being the eighth respondent in this writ petition.

The learned Advocate appearing for the petitioners submits that after the petitioners submitted the representation, the respondent no.8 issued letters to the concerned Block Land & Land Reforms Officer to arrange for a joint

inspection and demarcation of National Highway-117, but thereafter no effective step has been taken by the respondent authorities.

Mr. Soumitra Bandyopadhyay, learned Senior Advocate appearing for the State, submits that the eighth respondent shall take steps in accordance with law within the time limit that may be fixed by this Court.

Since the allegation of encroachment of the National Highway-117 has been made, it is the duty of the concerned respondent authorities to look into the grievances of the petitioners and to take steps in accordance with law.

In the light of the submissions made by the respective parties, this Court directs the Assistant Engineer, National Highway Sub-Division, Public Works Road Directorate, Diamond Harbour, being the eighth respondent herein, to consider the representation of the writ petitioners dated 16th July, 2024 which was submitted before the office of the concerned Assistant Engineer on July 23, 2024 and to dispose of the same after making necessary enquiries, inspection and demarcation and by passing a reasoned order after giving an opportunity of hearing to the petitioners or any other parties, who may be affected by such decision. The reasoned order shall be communicated to the respective parties immediately thereafter.

The entire exercise shall be completed as expeditiously as possible but positively within a period of eight weeks from the date of receipt of the server copy of this order along with copy of the representation dated 16th July, 2024.

With the above directions, this writ petition, being WPA 19908 of 2024 is, accordingly, disposed of.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Hiranmay Bhattacharyya, J.)