

WPA 19758 of 2025

Dilip Pati

-vs-

The State of West Bengal & Ors.

24.10.2025
SL-13
Ct.19
(S.R.)

Mr. Salil Kumar Maiti ... for the petitioner.

Mr. Debjit Mukherjee
Ms. Priyanka Jana ... for the State.

1. The affidavit-of-service as filed today on behalf of the writ petitioner is taken on record.
2. None appears on behalf of the private respondents despite service.
3. At the time of hearing, Mr. Maiti at the very outset draws attention of this Court to paragraph no.2 at page no.17 of the instant writ petition. It is submitted by Mr. Maiti that from the materials as placed before this Court, it would reveal that the writ petitioner is the lawful owner of 7 decimals of land in L.R. Plot No.1107 under Mouza – Sutahata, Police Station – Sutahata in District - Purba Medinipur.
4. It is further submitted by Mr. Maiti that it is grievance of the writ petitioner that the private respondents have raised some illegal constructions in front of the aforementioned plot of the writ petitioner over the PWD' land, as a result whereof the writ petitioner is facing difficulty in getting free access to the aforementioned property.
5. It is further submitted by Mr. Maiti that from page

nos.26 to 39, it would reveal that under cover of a representation dated 21.07.2025, the writ petitioner approached the respondent/authorities for removal of the illegal construction but in vain.

6. Mr. Maiti, thus, submits that appropriate relief and/or reliefs may be granted to the writ petitioner in terms of the prayers made in the instant writ petitioner.
7. *Per contra*, Mr. Mukherjee, learned advocate appearing on behalf of the respondent/State draws attention of this Court to the report dated 09.09.2025, as submitted by the respondent no.5/authority, which is taken on record.
8. It is further submitted by Mr. Mukherjee duly assisted by Ms. Jana that from the said report, it would reveal the respondent no.5/authority on receipt of the aforementioned representation dated 21.07.2025 from the writ petitioner requested the respondent no.6/authority to submit a demarcation report.
9. On careful consideration of the entire materials as placed before this Court and after hearing the learned advocates appearing for the contending parties, this Court while disposing the instant writ petition directs the respondent no.6/authority to make a field verification on the disputed plot after giving due notices to the writ petitioner and the private respondents and shall submit a demarcation report

and/or field verification report to the respondent no.5/authority, as called for vide memo dated 09.09.2025, positively within 30 working days from the date of receipt of the server copy of this order.

10. The respondent no.5/authority on receipt of the demarcation report and/or field verification report from the respondent no.6/authority shall cause service of notices upon the writ petitioner and the private respondents and shall provide them copies of the demarcation report and/or field verification report, as would be prepared by the respondent no.6/authority.

11. The respondent no.5/authority is further directed to consider the representation dated 21.07.2025 in accordance with law after giving due opportunity of hearing both to the writ petitioner and the private respondents and/or their authorized representatives and shall pass a reasoned order and shall forthwith communicate the same both to the writ petitioner and the private respondents and/or their authorized representative preferably by mail, if the email details of the writ petitioner and the private respondents 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.5/ authority positively within 45 working days from

- the date of receipt of the field verification report from the respondent no.6/ 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 to the respondent nos.5 and 6/authorities forthwith. The respondent nos.5 and 6/authorities are directed to act on the server copy of this order.
15. Before parting with, it is further made clear that, in the event, while passing the reasoned order, the respondent no.5/authority finds sufficient merits in the representation dated 21.07.2025, as submitted by the writ petitioner, he will forthwith take appropriate steps under Section 10(1) of the West Bengal Highways Act, 1964.
16. With the aforementioned observations, the instant writ petition being **WPA 19758 of 2025** is disposed of.
17. There shall, however, no order as to costs.
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.)