

01.12.2025
Item No.17
Ct. No.01
RP

WPA(P) 355 of 2025
Asgar Khan & Ors.
VS
State of West Bengal & Ors.

Mr. Shyama Prasad Purkait
Mr. Dinesh Chandra Mondal
..For Petitioners
Mr. Jaharlal Datta
Ms. Sukla Das Chandra
..For State

PER, PARTHA SARATHI SEN, J.:

1. Parties are represented through their respective counsels.
2. On behalf of the respondent State a report dated 3.11.2025 as submitted by the Block Land & Land Reforms Officer, Magrahat-II, South 24 Parganas is filed after serving a copy of the same to the learned advocate for the petitioners. The report dated 3.11.2025 is taken on record.
3. By filing the instant writ petition, which is in the nature of Public Interest Litigation, the writ petitioners have prayed for issuance of appropriate writ and/or writs against the respondent no.5 authority for considering the representation of the writ petitioners as submitted on 16.07.2025.
4. At the time of hearing learned counsel appearing on behalf of writ petitioners at the very outset took us to

the order dated 14.08.2023 as passed by a coordinate Bench of this Court in WPA(P) 382 of 2023 whereby and whereunder the said coordinate Bench directed the respondent nos.6 and 7 authorities to consider the representation of the writ petitioners in accordance with law.

- 5.** Drawing attention to page nos.32-33 of the instant writ petition, which is a copy of the order dated 14.01.2025 as passed by the selfsame coordinate Bench in CPAN 1385 of 2024, it is submitted that pursuant to the said order passed in the said contempt application the said coordinate Bench noticed that the Executive Engineer, Diamond Harbour Highway Division, Public Works (Roads) Directorate by its communication dated 3.1.2025 directed the jurisdictional BL & LRO to submit a demarcation report and based on such finding the said contempt application was disposed of.
- 6.** On perusal of the report as submitted by the jurisdictional BL & LRO today, it reveals that the Executive Engineer, Diamond Harbour Highway Division, Public Works (Roads) Directorate has already received the demarcation report as prepared by the jurisdictional BL & LRO.
- 7.** In view of such, this Court while disposing of the instant writ petition directs the respondent no.5 being the Executive Engineer, PWD Roads Department to dispose of the representation of the writ petitioners dated

16.07.2025 in the light of the demarcation report dated 3.1.2025 as submitted with him after giving due opportunity of hearing to the writ petitioners and/or other stakeholders, if there be any and thereafter shall pass a reasoned order and shall forthwith communicate the same to the writ petitioners as well as to the other stakeholders.

8. The entire exercise as indicated in the foregoing paragraphs is to be completed by the respondent no.5 positively within sixty working days from the date of communication of the server copy of this order.
9. Liberty is given to the learned Advocate-on-Record of the petitioners to communicate the server copy of this order to the respondent no.5 for his immediate compliance.
10. Before parting with, it is further made clear that in the event while passing the reasoned order, the respondent no.5 finds sufficient merit in the representation of the petitioners dated 16.07.2025, he is directed to act in accordance with law soon thereafter.
11. With the aforementioned observations and directions, this writ petition is disposed of.
12. Urgent Photostat certified copy of this order, if applied for, be delivered to the learned advocates for the parties, upon compliance of all formalities.

[SUJOY PAUL, ACJ.]

[PARTHA SARATHI SEN, J.]

