

S/L 11
25.09.2025
Court. No. 19
Sourav

WPA 21071 of 2025

**Sanjay Kumar Mandal & Anr.
Vs.
The State of West Bengal & Ors.**

*Mr. Sabir Ahmed
Mr. Dhiman Banerjee
Mr. Ezaz Ahmed
Mr. Tasnim Ahmed*

...for the petitioners.

*Mr. Supratim Dhar, Sr. Adv.
Mr. Santimoy Bhattacharyya*

...for the State.

1. The affidavit-of-service as filed on behalf of the writ petitioner is taken on record.
2. The writ petitioners and the respondent/State are represented by their respective learned advocates.
3. At the time of hearing, Mr. Ahmed, learned advocate appearing on behalf of the writ petitioners and duly assisted by Mr. Banerjee, learned advocate at the very outset draws attention of this Court to Page Nos. 36 to 40 of the instant writ petition, being a copy of the representation dated 06.08.2025 as has been issued on behalf of the writ petitioners addressed to the respondents/authorities alleging that on account of illegal construction at the instance of the private respondents over the P.W.D. land in front of the writ petitioners' property, particulars of which have been mentioned in the paragraph no. 4 of the instant writ petition, the writ petitioner are facing difficulty in getting easy access to their said property.

4. It is thus submitted by Mr. Ahmed that appropriate relief/reliefs may be granted to the writ petitioners in terms of the prayers made in the instant writ petition.
5. Mr. Dhar, learned senior advocate duly assisted by Mr. Bhattacharyya, learned advocate in his usual fairness submits before this Court that the respondent no. 6/authority may be directed to consider the representation dated 06.08.2025 as submitted on behalf of the writ petitioners in accordance with law.
6. Considering the entire materials as placed before this Court, this Court while disposing the instant writ petition directs the respondent no. 5/authority to make a field verification at the disputed land after securing prior service of notice upon the writ petitioners and the private respondents and shall prepare a field verification report and/or demarcation report and shall submit the same with the respondent no. 6/authority positively within 30 working days from the date of communication of the server copy of this order.
7. The respondent no. 6/authority on receipt of the said field verification report and/or demarcation report from the respondent no. 5/authority shall cause service of notice upon the writ petitioners and the private respondents and shall provide them copies of demarcation report as would be submitted by the respondent no. 5/authority.
8. The respondent no. 6/authority is further directed to give fair chance of hearing both to the writ petitioners and the private respondents and/or their authorized

representatives and, thereafter shall pass a reasoned order on the representation dated 06.08.2025 as submitted by the writ petitioner in accordance with law in the light of the demarcation report as would be submitted by the respondent no. 5/authority and shall forthwith communicate the same to the writ petitioners and the private respondents preferably by mail, if the email details of the writ petitioners and the private respondents are provided to him at the time of hearing.

9. The entire exercise as indicated in the foregoing paragraphs shall have to be completed by the respondent no. 6/authority within 60 working days from the receipt of the demarcation report from the respondent no. 5/authority.
10. The time limits as fixed by this Court are mandatory and peremptory.
11. Liberty is given to the learned advocate on record for the writ petitioner to communicate the server copy of this order to the respondent nos. 5 and 6/authorities forthwith.
12. The respondent no. 5 and 6/authorities are hereby directed to act on the basis of the server copy of this order.
13. Before parting with, it is, however, made clear that while passing the reasoned order, in the event, the respondent no. 6/authority finds sufficient justification in the representation dated 06.08.2025 as submitted by the writ petitioners, he shall forthwith initiate a proceeding

under Section 10 of the West Bengal Highways Act, 1964 for removal of encroachment, if therebe any.

14. With the aforementioned observations, the instant writ petition being **WPA 21071 of 2025** is disposed of.
15. 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.)