

Sl. 32  
27.11.2025  
Court No.19  
BP

WPA 21521 of 2025

Tanmay Dutta  
-versus-  
The State of West Bengal & Ors.

Mr. Atis Kumar Biswas  
..for the petitioner

Mr. Biplab Guha  
Mr. Subhabrata Das  
..for the State

The petitioner claims to be the co-owner of L.R. Dag No. 9116, Khatian No. 9312 under J.L. No.26 within Mouza Barnia under Police Station Palashipara in the District of Nadia. The petitioner states that there is a PWD road adjacent to the property of the petitioner and the private respondents have raised an illegal and unauthorized construction by encroaching upon the PWD road. The petitioner submitted a representation dated 5<sup>th</sup> August, 2025 before various authorities including the Assistant Engineer, Public Works (Road) Krishnagar Highway Sub-Division-I praying for removal of encroachment upon the PWD road.

The learned advocate appearing for the petitioner submits that the private respondents have been duly served.

The petitioner is granted liberty to file the affidavit of service by tomorrow (28.11.2025).

The State is represented by its learned advocate.

It has been submitted by the learned advocate for the State that immediately upon receipt of the said representation the Junior Engineer, Debgram Highway Section, Plassey Highway Sub-Division has written a letter to the concerned Block Land and Land Reforms Officer to cause an inspection of the disputed property and to demarcate the same and file a report. He further submits that the work of demarcation has not yet started and the same shall be completed within the time limit that may be fixed by this Court.

In the light of the submissions made by the learned advocate for the petitioner, WPA 21521 of 2025 stands disposed of with the following direction:

1. The Block Land and Land Reforms Officer, Tehatta-II being the 5<sup>th</sup> respondent is directed to undertake the work of demarcation of the plot in question and prepare a report with the sketch map and forward the said report to the Assistant Engineer, Public Works (Road) Directorate, Plassey Highway Sub-Division, Plassey being the 7<sup>th</sup> respondent within a period of six weeks from the date of receipt of a server copy of this order.
2. If upon receipt of the report from the 5<sup>th</sup> respondent the 7<sup>th</sup> respondent finds that there has been an encroachment on the PWD road, steps in accordance with the provisions of Section 10 of the West Bengal Highways Act,

1964 shall be initiated and the entire exercise under the said provision shall be completed as expeditiously as possible but positively within a period of four weeks from the date of receipt of the copy of the report from the concerned Block Land and Land Reforms Officer.

No order as to costs.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

**(Hiranmay Bhattacharyya, J.)**