

N.22Sl
151/CL

WPA 22081 of 2025

Sri Sujit Hati @ Sujit Kumar Hati
-vs-
The State of West Bengal & Ors.

19.09.2025
SL-33
Ct.19
(S.R.)

Mr. S. Chakraborty
Mr. Souvik Chatterjee ... for the petitioner.

Mr. Ramchandra Guchhait ... for the State.

Mr. Avirup Chatterjee
Mr. Arun Kumar Haldar
Mr. Rishov Das ... for the private respondents.

1. The affidavit of service as filed today on behalf of the writ petitioner is taken on record.
2. At the very outset, Mr. Chakraborty, learned advocate appearing on behalf of the writ petitioner draws attention of this Court to page nos.141 to 145 of the instant writ petition, being a copy of the order dated 30.06.2025, as passed by this Court in WPA 7696 of 2025. It is submitted by Mr. Chakraborty that prior to the passing of the said order, pursuance to a letter dated 28.05.2025 (a copy of which has been annexed at page no.133), as issued by the Executive Engineer, Diamond Harbour Highway Division, Public Works (Roads), Directorate, the writ petitioner made some corrections in the cause title of the said writ petition, which would be evident from page no.125 of the instant writ petition.

3. It is submitted by Mr. Chakraborty that pursuant to the said order dated 30.06.2025, the jurisdictional BL&LRO prepared a demarcation report and forwarded the same to the Assistant Engineer, Diamond Harbour Highway Sub-division, Public Works (Roads), Directorate, South 24-Parganas for consideration of the same in view the representation made by the writ petitioner pursuant to the aforementioned directions of this Court. Drawing attention to page no.155 of the instant writ petition, it is further submitted by Mr. Chakraborty that the Assistant Engineer, Diamond Harbour Highway Sub-Division, Public Works (Roads), Directorate under cover of his memo dated 22.08.2025 intimated that the disputed plot, which is adjacent to Amratala-Dhamua Road does not belong to the jurisdiction of his office.
4. At this juncture, Mr. Chakraborty took me to page nos.156 to 161 of the instant writ petition, being a copy of the representation dated 02.09.2025 addressed to the respondent no.4/authority herein. It is submitted by Mr. Chakraborty that in view of the changed circumstances appropriate order may be passed commanding the respondent no.4/authority to consider the representation dated 02.09.2025, in accordance with law, in the light of the demarcation report dated 08.08.2025, as

prepared by the jurisdictional BL&LRO, a copy of which has been annexed at page nos.148 and 149 of the instant writ petition.

5. Mr. Chatterjee, learned advocate appearing on behalf of the State in his usual fairness submits before this Court that the respondent no.4/authority may be directed to consider the representation of the writ petitioner, in accordance with law.
6. Such contention is, however, opposed by the learned advocate appearing on behalf of the private respondents by saying that the private respondents are disputing the correctness of the demarcation report, as prepared by the jurisdictional BL&LRO.
7. In view of the chronology of events, as discussed hereinabove, this Court while disposing the instant writ petition directs the respondent no.4/authority herein to consider the representation of the writ petitioner dated 02.09.2025 in the light of the demarcation report dated 08.08.2025, as prepared by the jurisdictional BL&LRO and after giving fair chance of hearing both to the writ petitioner and the private respondents and/or their representatives shall pass a reasoned order and shall forthwith communicate the same to the writ petitioner and the private respondents preferably by mail, if the email details of the writ petitioner and

the private respondents are provided to him at the time of hearing.

8. The entire exercise, as indicated in the foregoing paragraphs, is to be completed by the respondent no. 4/authority herein within 45 working days from the date of communication of the server copy of this order together with a copy of the demarcation report dated 08.08.2025, as prepared by the jurisdictional BL&LRO, as has been annexed at page nos.148 and 149.
9. The time limit as fixed by this Court is mandatory and peremptory.
10. Liberty is given to the learned advocate on record for the writ petitioner to communicate the server copy of this order along with a copy of the said demarcation report to the respondent no.4/authority forthwith.
11. The respondent no. 4/authority herein is hereby directed to act on the basis of the server copy of this order.
12. Before parting with, it is made clear that, in the event, while passing the reasoned order, the respondent no.4/authority herein finds sufficient merits in the representation dated 02.09.2025, as submitted by the writ petitioner, he will forthwith initiate a proceeding under Section 10 of the West Bengal Highways Act, 1964.

13. It is further made clear that since affidavits have not been called for, the allegations made in the instant writ petition are deemed to have been denied and all points are kept open for adjudication by the respondent no.4/authority.
14. With the aforementioned observations, WPA 22081 of 2025 is disposed of.
15. There shall, however, be no order as to costs.
16. 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.)