

D/L- 8
24/11/2025
Ct. No.-19
Aritra

WPA 25763 of 2025

**Uday Sankar Biswas & Ors.
Vs.
The State of West Bengal & Ors.**

Mr. Subhas Ch. Dutta
Ms. Papiya Naskar

....for the petitioners

Mr. Suman Ghosh
Mr. Pradipta Siddhanta

....for the State

Affidavit of service filed in Court today is taken on record.

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

In spite of service none appears to oppose the prayer in the writ petition.

The learned advocate appearing for the State submits that the appropriate authority to take steps under the provisions of the West Bengal Highways Act, 1964 to remove any encroachment is the Assistant Engineer, Plassey Sub Division, PWD. He submits that such authority has not been impleaded as a party respondent in this writ petition.

The learned advocate on record of the petitioner prays for leave to add the Assistant Engineer, Plassey Sub Division, PWD as a party respondent in this writ petition.

Leave is granted to the learned advocate on record of the petitioner is amend the cause title of the instant writ petition, here and now.

Since the State is represented by its learned advocate, there is no necessity to serve a further copy of the writ petition upon the added respondent.

However, the learned advocate on record of the petitioner shall be obliged to serve a copy of the amended cause title of this writ petition upon the learned advocate for the State and the private respondents forthwith.

The petitioners claim to be the recorded owners of the plot No.1101 within Mouza-Karimpur in the District of Nadia. The petitioners state that there is a State highway adjacent to the aforesaid plot of the petitioners and the private respondents have constructed shop rooms encroaching upon the State highway thereby obstructing the ingress and egress of the petitioners from their plot to the State highway.

The petitioners submitted a representation dated September 8, 2025 before the Assistant Engineer, Plassey Sub Division, PWD being the added respondent.

The grievance of the petitioners is that in spite of receipt of such representation, no steps have been taken by the respondent authorities till date.

The learned advocate appearing for the State submits that immediately upon receipt of the said representation the Assistant Engineer, Plassey Sub

Division, PWD being the added respondent has written a letter dated September 22, 2025 requesting the concerned Block Land & Land Reforms Officer to demarcate the PWD land beside the road along with identification of encroachment in connection with the application of the petitioners. The learned advocate further submits that a reminder letter dated November 21, 2025 has been sent to the concerned Block Land & Land Reforms Officer. The learned advocate submits that 6 weeks' time may be granted to the concerned Block Land & Land Reforms Officer to complete the work of demarcation.

In the light of the submission made by the learned advocates for the respective parties, WPA 25763 of 2025 stands disposed of by directing the Block Development Officer, Karimpur-I Block, being the respondent No.5 to complete the entire exercise of demarcation as per the request made by the added respondent by the letters dated September 22, 2025 and November 21, 2025 in accordance with law as expeditiously as possible but positively within a period of 6 weeks from the date of receipt of a server copy of this order.

If upon receipt of the said report it is found that there has been encroachment upon the State highway, steps in accordance with the provisions of Section 10 of the West Bengal Highways Act, 1964 shall be taken and the entire exercise shall be completed as expeditiously as possible but positively within a period of 4 weeks from the

receipt of the demarcation report from the respondent No.5.

There will be no order as to costs.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Hiranmay Bhattacharyya, J.)