

Court No. 19
(265719)

27.11.2025
(AD 4)
(S. Banerjee)

WPA 26256 of 2025

Surajit Das
Vs.
The State of West Bengal & Ors.

Mr. Manas Kumar Das
...for the petitioner
Mr. Suman Ghosh
Mr. Sankha Prasad Ray
...for the State

Leave is granted to the learned Advocate-on-record of the petitioner to add the Assistant Engineer, Mayurakshi Bridge Highway Sub-Division, PW(Roads) Directorate as a party-respondent to this proceeding.

Leave is also granted to the learned Advocate-on-record of the petitioner to file the affidavit-of-service in course of this day.

Petitioner claims to be the owner of LR plot no. 358 within Mouza Panutiya, Police Station Burwan, in the district of Murshidabad. Petitioner states that there is a PWD road adjacent to a portion of the property of the petitioner and the private respondents have illegally made construction by encroaching upon the PWD road.

Petitioner submitted a representation dated October 15, 2005 before various authorities including the Assistant Engineer, Highway Department, Kandi.

Learned advocate appearing for the petitioner submits that there is a typographical error in paragraph 4 of the writ petition wherein the plot no. was wrongly mentioned as RS 358 instead of LR 358. He further submits that in spite of receipt of the representation, the authorities have not taken any step pursuant thereto.

Mr. Ghosh, learned advocate appearing for the State submits that in the meantime steps have been taken by the Assistant Engineer, Mayurakshi Bridge Highway Sub-Division, PW(Roads) Directorate, requesting the concerned BL&LRO to submit a demarcation report with sketch map of the government land adjacent to LR 358 corresponding to RS 346. He submits that the work of demarcation shall be completed within the time limit that may be fixed by this court.

In the light of the submission made by respective parties and without entering into the merits of the claims made in the said representation, this writ petition stands disposed of with the following direction:

- i) The Block Land and Land Reforms Officer, Burwan, being the respondent no. 6, is directed to comply with the request made by the Assistant Engineer, Mayurakshi Bridge Highway Sub-Division, PW(Roads) Directorate, being the added respondent, after serving notice to the respective parties and conclude the work of demarcation including preparation of report with sketch map as expeditiously as possible, but positively within a period of six weeks from the date of receipt of the server copy of this order. The respondent no. 6 shall immediately forward the copy of demarcation report with sketch map to the added respondent.
- ii) Upon receipt of the said report if any encroachment of public road is found, the added respondent shall take immediate steps under the provisions of Section 10 of the West Bengal Highways Act, 1964 and shall complete the entire exercise under the said provision as expeditiously as possible but positively within a period of four weeks from the date of receipt of the report from the concerned BL&LRO.

(Hiranmay Bhattacharyya, J.)