

03.12.2025
Sl. No. 12
Ct No. 19
tkm

WPA 26669 of 2025

**Salam Sk & Ors.
Vs
The State of West Bengal & Ors.**

Mr. Mobaidur Hossain
... for the petitioners

Mr. Sambuddha Dutta
Mr. Rajesh Kr. Ganguly
... for the State

1. Affidavit of service filed in court today be kept on record.
2. Learned advocate for the petitioners submits that the private respondents have duly been served. In spite of service, none appears for the private respondents.
3. The petitioners claim to be the recorded owners of LR plot no. 2147 within Surangapur, under P.S Nowda in the district of Mujrshidabad.
4. The petitioners submit that a 'pucca' road maintained by the Public Works ((Roads) Directorate is lying adjacent to the aforesaid property of the petitioners running from Beldanga to Amtala. The petitioners allege that the private respondents have encroached upon a portion of the PWD road in front of the aforesaid property of the petitioners thereby obstructing ingress and egress of the petitioners from their property to the PWD road. The petitioners

submitted a representation before the various authorities including the Assistant Engineer, Berhampore Highway Sub-Division, PW (Roads) Directorate, being the 6th respondent.

5. Learned advocate appearing for the petitioners submits that in spite of receipt of such representation, no steps have been taken by such authority.

6. Mr. Dutta, learned advocate appearing for the State submits that immediately upon receipt of such representation, the Assistant Engineer being the 6th respondent has issued a memo dated July 16, 2025 directing the Block Land and Land Reforms Officer, Nowda Block to demarcate the government land in front of LR plot no. 7429,3681,7488 and 7784.

7. Mr. Dutta in his usual fairness submits that no steps thereafter have been taken by the respondent authorities. He however, submits that the work of demarcation and all consequential steps thereafter shall be taken within the time limit as may be fixed by this court.

8. In light of the submissions made by the learned advocates for the respective parties WPA 26669 of 2025 stands disposed of with the following directions:

- i) The Block Land and Land Reforms Officer, Nowda being 7th respondent is directed to undertake the work of demarcation as per the

requisition sent by the Assistant Engineer, Berhampore Highway Sub-Division being 6th respondent, vide memo dated July 16, 2025 and to complete the entire work of demarcation and prepare a report with the sketch map within a period of four weeks from the date receipt of a server copy of this order.

- ii) Needless to mention that the work of demarcation shall be carried out upon prior service of notice to the petitioners and any other person who may be affected by such demarcation.
- iii) The 7th respondent shall forward the copy of the report along with the sketch map to the Assistant Engineer, Berhampore Highway Sub-Division being 6th respondent immediately. Thereafter, the copies of such report along with sketch map shall also be furnished to the petitioners and any other affected parties.
- iv) Immediately upon receipt of the copy of the report from the 7th respondent, the Assistant Engineer, Berhampore Highway Sub-Division being 6th respondent shall take consequential steps in terms of section 10 of the Highways Act 1964 if any encroachment is found and shall complete the entire exercise under the said

provision as expeditiously as possible but positively within a period of four weeks from the receipt of the copy of the report from the concerned Block Land and Land Reforms Officer.

(Hiranmay Bhattacharyya, J.)