

Sl. 7
05.12.2025
Court No.19
BP

WPA 26746 of 2025

Manarul Malitya
-versus-
The State of West Bengal & Ors.

Mr. Mobaidur Hossain
..for the petitioner

Ms. Sima Adhikary
Ms. Mousumi Biswas
..for the State

Mr. Alokesh Dalai
Mr. Sawant Chanda
..for the respondent nos. 9 to 13

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

The petitioner claims to be the recorded owner of L.R. Dag No. 2346 Khatian No. 6328, J.L. No. 38 within Mouza Chandpur under Police Station Nowda in the District of Murshidabad. The petitioner states that the property of the petitioner is adjacent to the pucca road maintained by the Public Works (Roads) Directorate running from Amtala to Patikabari Radhanagar Ghat road. The petitioner alleges that the private respondents have raised a construction on the PWD road thereby obstructing the ingress and egress of the petitioner from his property to the PWD road. The petitioner submitted a representation before the various authorities including the Assistant Engineer, Berhampore High Way Sub-Division, P.W. (Roads) Directorate being the 6th

respondent praying for removal of encroachment upon the PWD road.

The learned advocate appearing for the petitioner submits that in spite of receipt of such representation no steps have been taken by the respondent authorities.

The learned advocate appearing for the private respondents denies the allegation made by the petitioner in the said representation.

The learned advocate appearing for the State submits that immediately upon receipt of the representation from the petitioner the concerned Assistant Engineer has issued a letter under memo dated 4th September, 2025 requesting the concerned Block Land and Land Reforms Officer Nowda Block to demarcate the land in front of L.R. Dag No. 2346 ie the property of the petitioner and to submit a report to the Assistant Engineer at the earliest.

The learned advocate for the State submits that necessary steps in accordance with law shall be taken within the time limit as may be allowed by this Court.

In the light of the submissions made by the learned advocate for the respective parties, WPA 26746 of 2025 stands disposed of with the following directions;

1. The Block Land and Land Reforms Officer, Nowda being the 7th respondent is directed to carry out the work of demarcation prepare a report and the sketch map and forward the same

to the Assistant Engineer, Berhampore High Way Sub-Division, P.W. (Roads) Directorate being the 6th respondent and the respective parties.

2. The entire exercise of demarcation shall be completed as expeditiously as possible but positively within a period of four weeks from the date of receipt of a server copy of this order.
3. Needless to mention that the work of demarcation shall be carried out upon prior notice to the petitioner and any other person who may be affected by such demarcation.
4. Upon receipt of the report from the concerned Block Land and Land Reforms Officer, if any encroachment upon the PWD road is found, the Assistant Engineer, Berhampore High Way Sub-Division, P.W. (Roads) Directorate being the 6th respondent shall take steps in accordance with 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 receipt of the copy of the report from the concerned Block Land and Land Reforms Officer.

There shall be, however, 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.)