

S/L 1
25.09.2025
Court. No. 19
Suvayan

WPA 28608 of 2023

**Parthasarathi Halder & Anr.
Vs.
State of West Bengal & Ors.**

Mr. Debabrata Mondal

...for the petitioners.

*Mr. Jayanta Samanta
Ms. Debdooti Dutta*

...for the State.

*Mr. Dinendranath Chatterjee
Mr. Sahabuddin Sardar
Mr. Murari Chakraborty*

...for the respondent nos. 10, 12 to 16.

1. At the time of hearing learned Advocate appearing on behalf of the writ petitioners has filed a receipted copy of notice dated 22.09.2025 showing service upon the learned G.P., High Court at Calcutta. Let the same be taken on record.
2. The writ petitioners, the respondents/State and its instrumentalities and the private respondents are represented by their respective Counsels.
3. The subject matter involved in the instant writ petition is the representation dated 14.08.2023 as submitted by the writ petitioners with the respondents/authorities alleging illegal encroachment on the PWD road just in front of the writ petitioners' property particulars of which has been mentioned in paragraph no. 2 of the instant writ petition.
4. It is argued on behalf of the writ petitioners that despite submission of the said representation the respondents/authorities practically did nothing.

5. It is thus submitted that appropriate relief/reliefs may be granted to the writ petitioners in terms of the prayers made in the instant writ petition.
6. Mr. Samanta, learned Advocate appearing on behalf of the respondents/State and its instrumentalities submits before this Court that the respondent no. 4/authority may be directed to consider the representation dated 14.08.2023 in accordance with law.
7. Mr. Chatterjee, learned Advocate appearing on behalf of the private respondents, however, disputed the contentions of the learned Advocate for the writ petitioners.
8. In view of such, this Court while disposing the instant writ petition directs the jurisdictional BL&LRO to make a visit at the disputed plot after securing prior service of notice upon the writ petitioners and the private respondents and shall prepare a demarcation report and/or field verification report and shall submit the same positively within 30 working days from the date of communication of the server copy of this order to the respondent no. 4/authority.
9. The respondent no. 4/authority on receipt of the demarcation report and/or field verification report from the jurisdictional BL&LRO shall serve notice upon the writ petitioners and the private respondents and shall provide them copies of the said demarcation report as would be prepared by the said jurisdictional BL&LRO.
10. The respondent no. 4/authority is further directed to give a fair chance of hearing both to the writ petitioners

and to the private respondents and/or their authorized representatives and shall pass a reasoned order on the representation dated 14.08.2023 as submitted by the writ petitioners in accordance with law in the light of the demarcation report as would be submitted by the jurisdictional BL&LRO and shall forthwith communicate such reasoned order both to the writ petitioners and the private respondents preferably by email, if the email details of the writ petitioners and the private respondents are provided to him at the time of hearing.

11. The entire exercise as indicated in the foregoing paragraph is to be completed within 60 working days from the date of receipt of the demarcation report from the jurisdictional BL&LRO by the respondent no. 4/authority.
12. Liberty is given to the learned Advocate-on-Record for the writ petitioners to communicate the server copy of this order to the respondent no. 4/authority as well as to the jurisdictional BL&LRO together with a copy of the instant writ petition.
13. The respondent no. 4/authority and the jurisdictional BL&LRO are hereby directed to act on the server copy of this order.
14. The time limits as fixed by this Court are mandatory and peremptory.
15. Before parting with it is further directed that in the event while passing the reasoned order the respondent no. 4/authority finds sufficient justification in the

representation dated 14.08.2023 as submitted by the writ petitioners he shall forthwith initiate a proceeding under Section 10 of the West Bengal Highways Act, 1964 for removal of the encroachment, if there be any.

16. With the aforementioned observation, the instant writ petition being WPA 28608 of 2023 is disposed of.
17. 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.)