

Court No. 19
(265719)

21.01.2026
(AD 7)
(S. Banerjee)

WPA 897 of 2026

Lakshmikanta Mal
Vs.
The State of West Bengal & Ors.

Mr. Partha Sarathi Mondal

...for the petitioner

Mr. Mohan Kumar Sanyal
Mr. Partha Sarathi Sen Sarma

...for the State

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

The petitioner claims to be the owner of LR Dag
No. 2351 within Mouza – Kashinagar, JL No. 9, LR
Khatian No. 2350 under Harwood Point Coastal Police
Station in the district of South 24 Parganas. The
petitioner states that a PWD road is running adjacent
to the aforesaid property of the petitioner. Petitioner
alleges that the private-respondents have raised an
unauthorized construction by encroaching upon the
PWD road thereby causing obstruction to the ingress
and egress of the petitioner from his property to the
PWD road. The petitioner submitted a representation
before various authorities, including the Assistant
Engineer, PWD, Kakdwip, South 24 Parganas by a
letter dated December 15, 2025.

Learned advocate appearing for the petitioner submits that though the Assistant Engineer, Diamond Harbour National Highway Sub-Division PW(Roads) Directorate issued a memo dated December 22, 2025 requesting the Block Land and Land Reforms Officer to demarcate the land in question, no steps have been taken by the respondent authorities for removal of the unauthorized encroachment from the highway.

Learned advocate appearing for the State submits that immediately upon receipt of the complaint a request has been made to the concerned BL&LRO to demarcate the property in question. He further submits that necessary steps shall be taken in accordance with law if any encroachment upon the highway is found.

In the light of the submission made by the learned advocates for the respective parties, this writ petition stands disposed of with the following directions:

The Block Land and Land Reforms Officer, Kakdwip Block, being the 6th respondent is directed to engage competent Amin/Surveyor for the purpose of demarcation of the disputed plot and prepare a sketch-map and a demarcation report on such

demarcation. The work of demarcation shall be undertaken upon prior service of notice to the petitioner, the private-respondents and any other person who may be affected by such demarcation. The entire work of demarcation including forwarding the report to the petitioner, the private-respondents and any other affected person and the Assistant Engineer, Diamond Harbour Sub-Division, PW(Roads) Directorate, being the 3rd respondent, shall be done within a period of six weeks from the date of receipt of a server copy of this order.

Immediately upon receipt of the report from the BL&LRO, Kakdwip, if any encroachment is found upon the highway, the 3rd respondent shall initiate appropriate proceedings in accordance with law and complete the entire exercise as expeditiously as possible but positively within a period of four weeks from the date of receipt of a copy of the report from the BL&LRO, Kakdwip.

(Hiranmay Bhattacharyya, J.)