

15.06.2026
Ct. 3
Item No.
ML 02
sayandeep

WPA 1198 of 2025

**Smt. Saraswati Sarkar
Versus
The Chairman Halisahar Municipality & Ors.**

Mr. Arunava Banerjee
Ms. Simantika Dasgupta
Mr. Sk. Qareeb
Ms. Ritika Mondal

.... For the municipality

1. Pursuant to the order dated 11th May, 2026, the municipality has filed a report. The municipality has been able to identify the 8 ft. wide road/passage which the petitioner claims to be a common passage and the private respondents claimed to be the owners thereof. Since the allegation in the petition is with regard to encroachment by the private respondents on the common passage/public road and since the municipality has been able to identify the same, and has recorded that the 8 ft. wide road emerging from Duttapara road is in existence though the same is full of bushes and the drain situated by its side, and is found in bad condition and in some places was hardly identifiable separately, however, since the existence of the strip of land/road has been identified by the municipality and since at present there appears to be no encroachment, I am of the view no fruitful purpose would be served by keeping the writ petition pending.

2. The writ petitioners and the private respondents remain unrepresented.
3. However, having regard to the report filed in Court today, the matter is stands disposed of without any further direction.
4. Let it be placed on record that the municipality has by the above report indicated that a proper demarcation can only be made with the assistance of the BL&LRO. However, since the municipality has been able to identify existence of the aforesaid passage and since it has also been observed by the municipality that there has been no encroachment, let this matter stands disposed of, leaving it open to the private parties to take appropriate steps for demarcation in accordance with law if so advised.

(Raja Basu Chowdhury, J.)