

Court No. 19
(265719)

19.02.2026
(AD 3)
(S. Banerjee)

WPA 1923 of 2026

Gita Rani Saha
Vs.
The State of West Bengal & Ors.

Mr. Rwitendra Banerjee
Mr. Sandip Kundu

...for the petitioner

Mr. Joydip Banerjee
Ms. Susnita Saha

...for the State

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

Leave is granted to the learned advocate
appearing for the petitioner to amend the cause-title
of the writ petition by correcting the serial numbers of
the last three respondents, here and now.

Mr. Banerjee, learned advocate appearing for
the petitioner submits that the private-respondent
has been duly served.

In spite of service none appears for the private-
respondent.

State is represented by its learned advocate.

Petitioner claims to be the owner of LR Plot No.
11201, LR Khatian No. 34081, Mouja – Panchgram

under Nabagram Police Station in the district of Murshidabad. Petitioner states that a PWD road is running adjacent to the aforesaid property of the petitioner and the private-respondent has raised an unauthorised construction by encroaching upon the said PWD road which is in front of the aforesaid property of the petitioner thereby creating obstruction to the ingress and egress of the petitioner from his property to the PWD road. Petitioner submitted a representation dated January 13, 2025 before various authorities including the Assistant Engineer, Behrampore Public Works Department (Roads), Directorate, Highway Division – II, Murshidabad, to take steps for removal of encroachment from the PWD road.

Mr. Banerjee, learned advocate appearing for the petitioner, in his usual fairness, submits that after filing of the instant writ petition, the petitioner has been served with a copy of the memo dated February 5, 2026 issued by the Assistant Engineer, Quality Control Sub-Division, PW (Roads) Directorate, requesting the concerned Block Land and Land Reforms Officer to demarcate the roadside government land and to submit a report along with a sketch map before the Assistant Engineer. He

submits that a direction be passed upon the authority to conclude the proceeding expeditiously.

Learned advocate appearing for the State submits that immediately upon receipt of the complaint from the petitioner, the Assistant Engineer has taken necessary steps and have requested the Block Land and Land Reforms Officer to demarcate the roadside government land and to submit a report before the Assistant Engineer. He submits that the work of demarcation and the consequential steps in accordance with law shall be taken within the time limit that may be fixed by this Court.

In the light of the submissions made by the learned advocates appearing for the respective parties, this writ petition stands disposed of by directing the Block Land and Land Reforms Officer, Nabagram, Murshidabad, being the 5th respondent, to carry out the work of demarcation of the roadside government land and to prepare a report along with a sketch map showing unauthorized construction, if any, upon the government land in terms of the memo dated February 5, 2026 issued by the Assistant Engineer, Quality Control Sub-Division, PW (Roads) Directorate.

Needless to mention that the work of demarcation shall be carried out upon prior notice to the petitioner, the private-respondent and any other person who may be affected by such demarcation and the work of demarcation shall be completed as expeditiously as possible but positively within a period of four weeks from the receipt of a server copy of this order.

After completion of the work of demarcation, the report along with the sketch map, shall be forwarded to the petitioner, the private-respondent and any other person who may be affected by such demarcation and the Assistant Engineer, Berhampore Public Works Department (Roads), Directorate, Highway Division – II, Murshidabad, being the 6th respondent, within the time limit indicated hereinbefore.

Immediately upon receipt of the said report from the 5th respondent, if any encroachment upon the PWD road is found, the 6th respondent shall initiate appropriate proceeding in accordance with the provisions of the West Bengal Highways Act, 1964 and the entire exercise under the said provision shall be completed as expeditiously as possible but positively within a period of four weeks from the date

of receipt of the demarcation report along with the sketch map from the 5th respondent.

(Hiranmay Bhattacharyya, J.)