

D/L- 7
09/02/2026
Ct. No.- 19
Aritra

WPA 2033 of 2026

**Dilip Pandit @ Dilip Kumar Pandit
Vs.
The State of West Bengal & Ors.**

Mr. Amit Baran Dash

....for the petitioner

Mr. Vimal Kumar Shahi, AGP
Ms. Sangeeta Roy

....for the State

Mr. Arun Kumar Das

....for the respondent No.8

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

The petitioner claims to be the owner of L.R. Plot No.715 within Mouza-Jagti, J.L. NO.244, Khatian No.7820 under Police Station-Patashpur in the District of Purba Medinipur.

The petitioner states that a PWD road is running in front of the aforesaid property of the petitioner. The petitioner alleges that the private respondent has raised an unauthorised construction by encroaching upon the PWD road in front of the aforesaid property of the petitioner thereby obstructing the ingress and egress of the petitioner from his property to the PWD road.

The learned advocate appearing for the private respondent denies the allegations made by the writ petitioner. He submits that the construction made by

the private respondent is on the *Raiyati* property of the private respondent and has not encroached upon any portion of the PWD road.

The learned advocate appearing for the State submits that immediately upon receipt of the representation alleging encroachment upon the PWD road, the Assistant Engineer, Contai Highway Sub-Division Public Works (Roads) Directorate issued a memo to the Block Land & Land Reforms Officer, Patashpur-II, requesting him to demarcate the plot in question. He submits that the work of demarcation shall be completed and all steps in accordance with law thereafter shall be taken within the time limit as may be specified by this Court.

In the light of the submission made by the learned advocates for the respective parties, WPA 2033 of 2026 stands disposed of by directing the Block Land & Land Reforms Officer, Patashpur-II, being the respondent No.7, to carry out the work of demarcation as per the request of Assistant Engineer, Contai Highway Sub-Division Public Works (Roads) Directorate vide memo dated January 30, 2026 by engaging competent officials for such purpose and to prepare a report and a sketch map of such demarcation and forwarded the report along with the sketch map to the petitioner, the private respondent and any other affected parties as well as the Assistant Engineer, Contai Highway Sub-Division Public

Works (Roads) Directorate as expeditiously as possible but positively within a period of 6 weeks from the date of receipt of a server copy of this order.

Needless to mention that the work of demarcation shall be carried out after service of notice to the petitioner, private respondent and any other persons, who may be affected by such demarcation. Immediately upon receipt of the said demarcation report, if any encroachment is found, the Assistant Engineer, Contai Highway Sub-Division Public Works (Roads) Directorate being the respondent No.3 shall initiate appropriate proceedings under the West Bengal Highways Act, 1964 and complete the entire exercise under the said provision as expeditiously as possible but positively within a period of 4 weeks from the receipt of a copy of the said report of the concerned Block Land & Land Reforms Officer.

There will be no order as to costs.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Hiranmay Bhattacharyya, J.)