

D/L- 18
01/04/2026
Ct. No.-19
Aritra

WPA 3027 of 2025
Sakti Pada Kayal
Vs.
Union of India & Ors.

Mr. Arindam Paul
Ms. Debarati Das
Ms. Sohini Choudhury

....for the petitioner

Mr. Soumitra Bandyapadhyay, Sr. Govt. Adv.
Mr. Priyabrata Batabyal

....for the State

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

In spite of service none appears for the private respondents.

The petitioner claims to be the owner of several plots of land within Mouza-Ganeshpur under Police Station-Kakdwip in the District of South 24-Parganas.

The petitioner alleges that the National Highway No.117 is running adjacent to the aforesaid property of the petitioner and the private respondents have raised a construction by encroaching upon the National Highway thereby obstructing the ingress and egress of the petitioner from his property to the National Highway.

The petitioner submitted a representation through his learned advocate's letter dated November 25, 2024 requesting the authorities to take steps for removal of encroachment from the National Highway.

The learned advocate appearing for the petitioner submits that no steps have been taken by the respondent authorities to remove such encroachment till date.

Mr. Bandyapadhyay, learned senior Government advocate submits that the Assistant Engineer, Diamond Harbour Road, National Highway Sub-Division, Public Works (Roads) Directorate, being the respondent No.8 has requested the concerned Block Land & Land Reforms Officer to demarcate the disputed plots and to submit a report. He submits that the date of demarcation has been fixed on April 9, 2026. He further submits that upon such demarcation if it is found that there has been any encroachment, steps in accordance with law shall be taken to remove the encroachment within the time limit as may be fixed by this Court.

In the light of the submissions made by the learned advocates for the respective parties and taking note of the fact that the Block Land & Land Reforms Officer, Kakdwip, South 24-Parganas issued notices dated March 30, 2026 informing the authorities that the exercise of demarcation shall take place on April 9, 2026. WPA 3027 of 2025 stands disposed of by directing the Block Land & Land Reforms Officer, Kakdwip, South 24-Parganas, being the respondent No.10 to demarcate the disputed plots and to prepare a report along with a sketch map of such demarcation as expeditiously as possible but positively within a period of 2 weeks from the date fixed for demarcation and forward the same to the petitioner, the

private respondents as well as upon the Assistant Engineer, Diamond Harbour Road, National Highway Sub-Division, Public Works (Roads) Directorate, being the respondent No.8.

If from the demarcation report it is found that there is an encroachment, the Assistant Engineer, Diamond Harbour Road, National Highway Sub-Division, Public Works (Roads) Directorate shall initiate appropriate proceedings in accordance with the relevant statute and the entire exercise shall be completed as expeditiously as possible but positively within a period of 6 weeks from the date of receipt of a server copy of this order and the report of the demarcation.

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.)