

D/L- 9
27/02/2026
Ct. No.-19
Aritra

WPA 4395 of 2026
Mainul Islam
Vs.
The State of West Bengal & Ors.

Mr. Hamidur Rahaman

....for the petitioner

Mr. Chandi Charan De, AGP
Mr. Anirban Sarkar

....for the State

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

The petitioner claims to be the owners of L.R. Plot No. 442, J.L. NO.83 within Mouza-Babultali in the District of Murshidabad. The petitioner states that the PWD road is running adjacent to the aforesaid property of the petitioner. The petitioner alleges that the private respondent has raised an unauthorized construction by illegally encroaching upon a portion of the said PWD road thereby causing obstruction to the ingress and egress of the petitioner from his property to the PWD road. The petitioners submitted a representation various authorities including the Assistant Engineer, Public Works Roads Department, Islampur dated February 4, 2026.

The learned advocate appearing for the petitioner submits that the respondent authorities have not taken any steps pursuant to the said representation excepting

only seeking a demarcation report from the concerned Block Land & Land Reforms Officer.

Mr. De, learned Additional Government Pleader submits that immediately upon receipt of the complaint, the Assistant Engineer has requested the concerned Block Land & Land Reforms Officer to carry out the work of demarcation of the plot in question. He further submits that the respondent authorities shall take steps in accordance with law if any encroachment upon the PWD road is found.

In the light of the submissions made by the learned advocate for the respective parties and upon considering the materials placed, WPA 4395 of 2026, stands disposed of by directing the Block Land & Land Reforms Officer, Raninagar-II Block, being the respondent No.4 to carry out the work of demarcation of the land in question pursuant to the memo dated February 18, 2026 issued by the Assistant Engineer, Islampur Highway Sub-Division, Public Works (Roads) Directorate after engaging competent Amit/Surveyors and after issuing prior notice to the petitioner, the private respondents and any other person, who may be affected by such demarcation and prepare a report along with a sketch map showing unauthorised encroachment upon the PWD road, if any.

Needless to mention that the work of demarcation shall be completed as expeditiously as possible but

positively within a period of 8 weeks from the date of receipt of a server copy of this order.

Immediately upon completion of the demarcation work, the report along the sketch map shall be forwarded to the petitioner, the private respondents and any other person, who may be affected by the demarcation as well as to the Assistant Engineer, Public Works Roads Department, Islampur, being the respondent No.9 within the time limit as indicated hereinbefore.

Upon receipt of the said report, if any encroachment is found, the Assistant Engineer, Public Works Roads Department, Islampur, being the respondent No.9 shall initiate appropriate proceedings in accordance with the provision of the West Bengal Highways Act, 1964 and complete the entire exercise as expeditiously as possible but positively within a period of 6 weeks from the receipt of a copy of the report from the 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.)