

SL. 9
05.03.2026
Court No.19
BP

WPA 4757 of 2026

Jaydeb Ghosh & Anr.
-versus-
The State of West Bengal and others

Mr. Shibjit Mitra
Mr. Subhasish Mitra
..for the petitioners

Ms. Sima Adhikari
Mr. Rameswar Sinha
..for the State

Mr. Moinuddin Mondal
Mr. Sahil Islam Mollah
..for the respondent no.9

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

The petitioners claim to be the owner of L.R. Plot No.652 under Khatian Nos. 996 and 999 within Mouza Bramhanpara under Police Station Haripal in the District of Hooghly. The petitioners state that there is a PWD road running adjacent to the aforesaid property of the petitioners. The petitioners allege that the private respondent has raised an unauthorised construction by encroaching upon the PWD road just in front of the property of the petitioners thereby causing obstruction to the ingress and egress of the petitioners from their property to the PWD road. The petitioners submitted a representation dated January 22, 2026 before the various authorities praying for removal of unauthorised encroachment from the PWD road.

The learned advocate appearing for the petitioners submits that the respondent authorities have not taken any steps to remove the encroachment except making a request to the concerned Block Land and Land Reforms Officer to demarcate the property in question.

The learned advocate appearing for the private respondent disputes the allegation leveled against the private respondent in this writ petition. He submits that the private respondent has not encroached upon any portion of the PWD road. The private respondent cannot be said to be an encroacher upon the PWD road.

Ms. Adhikari, learned advocate appears for the State. She submits that necessary steps have been taken pursuant to the representation submitted by the petitioners.

It appears from the record that the Assistant Engineer, Public Work Department of Hooghly Construction Sub-Division – III (PWD), Nalikul, Hooghly by a letter dated 3rd February, 2026 requested the Block Land and Land Reforms Officer to identify and demarcate the Government plot in front of Plot No. 652 in Mouza Bramhanpur, J.L. No. 75 under Haripal Block and to submit a report along with sketch map with detailed dimension showing encroachment in details, if any, within the PWD land.

In the light of the submissions made by the learned advocates for the respective parties and considering the

materials placed, WPA 4757 of 2026 stands disposed of by directing the Block Land and Land Reforms Officer, Haripal Block, Hooghly being the 7th respondent to carry out the work of identification and demarcation of the Government plot in front of the plot of the petitioners and to prepare a report along with a sketch map with detailed dimension showing the encroachment details, if any, within the PWD land. The work of demarcation shall be carried out by the concerned Block Land and Land Reforms Officer upon prior service of notice to the petitioners, the private respondent and any other person who may be affected by such demarcation and the entire work of demarcation including supply of report to the petitioners, the private respondent and any other person who may be affected by such demarcation as well as the Assistant Engineer, Public Work Department of Hooghly Construction Sub-Division – III (PWD), Nalikul, Hooghly, the 3rd respondent shall be done as expeditiously as possible but positively within a period of eight weeks from the receipt of a server copy of this order. Upon receipt of such report from the concerned the Block Land and Land Reforms Officer, if any encroachment upon the PWD road is found, necessary proceeding in accordance with the relevant provisions of the statue shall be initiated by the 3rd respondent and the entire exercise shall be completed as expeditiously as possible but positively within a period

of six weeks from the receipt of the copy of the report from the concerned Block Land and Land Reforms Officer.

There shall be however no order as to costs.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Hiranmay Bhattacharyya, J.)