

Court No. 19
(265719)

27.04.2026

(AD 2)

(S. Banerjee)

WPA 6820 of 2026

Mintu Mandal

Vs.

The State of West Bengal & Ors.

Mr. Manas Kumar Das
Mr. Mobaidur Hossain

...for the petitioner

Mr. Chandi Charan De, Ld. AGP
Mr. Anirban Sarkar
Ms. Srijani Mukherjee
Md. Farahuddin

...for the State

Mr. Shahan Shah

...for the respondent no. 9

Pursuant to the order dated April 21, 2026, the demarcation report along with the sketch map prepared by the Amin has been filed by Mr. De, which is taken on record. A copy of such report has been supplied to the learned advocate for the petitioner and the private respondent.

Learned advocate appearing for the petitioner draws the attention of the Court to the photograph at page 19 of the writ petition and submits that the shop-room of the private respondent is adjacent to the shop-room of the petitioner. The sketch map prepared by the Amin has only indicated the area occupied by the petitioner but the demarcation report

is silent about the area where the private respondent is in occupation.

In view thereof, this Court feels that a fresh demarcation is required to be made which shall indicate the portions occupied by the petitioner and the private respondent, be it on the PWD road or on the Gram Panchayat road, as indicated by the Assistant Engineer in the order dated February 18, 2026 which is annexed at page 31 of the writ petition.

Block Land and Land Reforms Officer, Nowda, Murshidabad, being the respondent no. 7, is directed to make a fresh demarcation as indicated hereinbefore, upon prior service of notice to the petitioner and the private respondent and any other person who may be affected by such demarcation and the report of the demarcation along with the sketch map thereof shall be forwarded by the Block Land and Land Reforms Officer to the petitioner the private-respondent as well as to the Assistant Engineer, Berhampore High Way Sub-Division, PW(Roads) Directorate on or before June 10, 2026.

The Assistant Engineer, Berhampore High Way Sub-Division, PW(Roads) Directorate, being the 6th respondent, shall take necessary steps including initiation of appropriate proceeding under the

relevant statute if any encroachment upon the PWD road is found and conclude the proceedings expeditiously.

Till the matter is decided by the Assistant Engineer in terms of the fresh demarcation, the notice dated March 5, 2026 shall remain stayed and the fate of the said notice shall depend upon the decision of the Assistant Engineer after fresh demarcation.

With the above observations and directions, this writ petition stands disposed of.

(Hiranmay Bhattacharyya, J.)