

Sl.9
07.04.2026
Court No.19
BP

WPA 7083 of 2026

Smt. Swapna Mondal
-versus-
The State of West Bengal & Ors.

Mr. Surya Prasad Chattopadhyay
Mr. Arjun Samanta
Mr. Samudraneel Nandi
..for the petitioner

Mr. Soumitra Bandyopadhyay, Sr. Govt.
Advocate
Ms. Suchana Banerjee
Mr. Srinath Singha Roy
..for the State

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

The petitioner claims to be the recorded owner
of a plot of land being R.S. Dag No. 4340 corresponding
to L.R. Dag No. 8230 within Mouza Krishnapur, J.L. No.
17 under Police Station Rajarhat now Newtown under
Ward No. 26 of the Bidhannagar Municipal Corporation.
The petitioner alleges that the private respondents have
made an illegal construction by encroaching upon the
vacant space on the bank of Krishnapur new cut canal
beside Mohisgote Netaji Subhash Sangha Club and
adjacent to the property of the petitioner being R.S. Dag
No.4340. The petitioner submitted a representation dated
10th November, 2025 before various authorities including
the Sub-Divisional Officer, Bidhannagar and the District
Magistrate, North 24 Pargans at Barasat praying for

removal of unauthorised construction upon the public land.

Mr. Chattopadhyay, learned advocate appearing for the petitioner submits that in spite of receipt of such representation no steps have been taken by the respondent authorities to remove the illegal encroachment upon the public land.

The learned advocate appearing for the State submits that necessary steps in accordance with law shall be taken if any encroachment upon the public land is found.

Without entering into the merits of the claim made by the petitioner in the representation dated 10th November, 2025, WPA 7083 of 2026 stands disposed of by directing the Sub-Divisional Officer, Bidhannagar being the 4th respondent to consider the representation of the petitioner dated 10th November, 2025 and after causing necessary enquiries and demarcation through competent Amins/ surveyors upon prior service of notice to the petitioner, the private respondents and any other person who may be affected by such demarcation and upon such demarcation if any encroachment upon the public land is found necessary proceeding in accordance with the relevant provisions of the statute shall be initiated and the entire exercise shall be completed as expeditiously as possible but positively within a period of four months from the receipt of a server copy of this order

along with a copy of the representation dated 10th November, 2025. In case the 4th respondent is of the view that such respondent is not the appropriate authority to decide the issue of encroachment, the 4th respondent shall immediately forward the necessary papers to the appropriate authority who has been vested with the power to decide the issue of demarcation. Needless to mention that if the concerned authority arrives at a conclusion that there is no encroachment upon the public land such decisions shall also be communicated to the petitioner and others within the time limit as mentioned hereinbefore.

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.)