

Item-
2. 10-04-2026

sg Ct. 19

WPA 8132 of 2026

Susil Kumar Kuila
Versus
State of West Bengal & Ors.

Mr. Dilip Kumar Sinha
Ms. Tithi Paul
...for the petitioner
Mr. Ashim Kumar Ganguly
Ms. Sanghamitra Nandi
...for the State

Affidavit of service filed in Court is taken on record.

The learned Counsel appearing for the petitioner submits that the private respondents have been duly served. In spite of service, none appears for the private respondents.

The petitioner claims to be the recorded owner of a plot of land being LR Dag No. 1113/1296, J.L. No. 30, within Mouza Paharpur, in the District of Purba Medinipur. The petitioner states that between the property of the petitioner and the Highway running from Egra to Bajkul, a government land recorded under khatian no. 1 is situated. The petitioner alleges that the private respondents have encroached upon a portion of the government land thereby obstructing the ingress and egress of the petitioner from the property to the said Highway.

The petitioner submitted a representation dated 9th March, 2026 before the Sub-Divisional Officer, Egra, praying for removal of unauthorized encroachment from the public land.

Learned Advocate for the petitioner submits that in spite of receipt of such representation, no steps have been taken by the respondent authority till date. He draws the attention of the Court to a sketch map prepared by the

Revenue Inspector which is annexed at page 28 of the writ petition in support of his contention that upon inquiry it has been found that the portions of the public land has been encroached upon by several persons.

After going through the sketch map annexed at page 28 of the writ petition, it, prima facie, appears to this Court that there has been encroachment upon the public land. Since the allegation of encroachment upon the public land has been made, it is the duty of the respondent authorities to enquire into the matter in accordance with law and to take steps if any encroachment upon the public land is found.

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.

In the light of the submissions made by the learned Advocates for the respective parties and without entering into the merits of the claim made by the petitioner in the representation dated 9th March, 2026, this writ petition stands disposed of by directing the Sub-Divisional Officer, Egra Sub-Division, being the third respondent, to consider the representation of the petitioner dated 9th March, 2026 and after causing necessary inquiry and demarcation thorough competent Amin/Surveyor, upon prior service of notice to the petitioner, private respondents and any other party/parties who may be affected by such demarcation and upon such demarcation, if it is found that there has been any encroachment made by the private respondents as well as any other persons, necessary proceeding in accordance with relevant provision of the statute shall be initiated and the entire exercise shall be completed as expeditiously as possible

preferably within a period of four months from the receipt of a server copy of this order along with a copy of the representation dated 9th March, 2026 and the copy of the report which is annexed at page 28 of the writ petition.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Hiranmay Bhattacharyya, J.)