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151/CL
12.11.26
DL-24
Ct.-19
(S.R.)

WPA 9617 of 2026

Sib Sankar Das
v.
The State of West Bengal & Ors.

Ms. Mohua Palit
Mr. Subhas Jana ... for the petitioner.

Ms. Aparajita Mitra
Ms. Joyita Ray
Ms. Anyasha Das ... for the State.

Mr. Raj Kumar Sain
... for the respondent no.9.

1. The petitioner, the respondent State and the private respondent no.9 are represented by their respective learned counsel.
2. On behalf of the respondent State, a statement of facts dated 08.10.2026 as submitted by the respondent no.6 authority, is filed which is taken on record.
3. By filing the instant writ petition, the writ petitioner has prayed for issuance of appropriate writ/writs against the respondent authorities, more specifically, against the respondent no.6 authority commanding him to consider the writ petitioner's representation dated 10.02.2026, in accordance with law.
4. At the time of hearing, learned advocate appearing on behalf of the writ petitioner draws attention of this Court to paragraph 2 of the instant writ

petition, wherefrom it reveals that it is the specific case of the writ petitioner that he is a raiyat in respect of LR Plot No.902, J.L. No.91, Mouza – Kalikakhali, Police Station – Chandipur, Dist – Purba Medinipur and the said land of the petitioner is contiguous to a PWD's Land.

5. It is submitted further that it is the specific case of the writ petitioner that on account of an illegal encroachment of the private respondent no.9 over the said PWD's land in front of the writ petitioner's aforementioned land, the writ petitioner is facing difficulty to get easy access to his own property, particulars of which, has been mentioned in paragraph 2 of the instant writ petition. It is submitted that finding no other alternative the writ petitioner approached the respondent authorities, more specifically, the respondent no.6 authority with a request to take appropriate steps for removal of the encroachment but till date no action has been taken so far.

6. Learned advocate appearing on behalf of the respondent State in his usual fairness submits before this Court that on receipt of the copy of the representation dated 10.02.2026 the respondent no.6 authority has called for a report from the respondent no.7 authority. It is further submitted on behalf of the respondent State that the

respondent no.6 authority may be directed to consider the representation dated 10.02.2026 as submitted by the writ petitioner, in accordance with law in the light of the demarcation report, as would be submitted by the respondent no.7/authority.

7. Learned advocate appearing on behalf of the respondent 9 authority does not oppose the prayer for consideration of the representation by the respondent no.6 authority subject to giving due opportunity of hearing to the private respondent no.9.

8. In view of such, the respondent no.7 authority is directed to give prior notice to the writ petitioner and the private respondents and shall make a demarcation report at the disputed plot and shall submit the demarcation report with the respondent no.6 authority positively within thirty working days from the date of communication of the server copy of this order, if not done, in the meantime.

9. The respondent no.6 authority on receipt of the said demarcation report of the respondent no.7 authority shall cause service of notices upon the writ petitioner and the private respondent no.9 authority and shall provide them copies of the demarcation report as would be submitted by the respondent no.7 authority.

10. The respondent no.6 authority is further directed to

give adequate opportunity of hearing both to the writ petitioner and the private respondent no.9 and/or their authorized representatives and thereafter shall pass a reasoned order on the representation dated 10.02.2026 as submitted by the writ petition, in accordance with law, and in the light of the demarcation report as would be submitted by the respondent no.7 authority and shall forthwith communicate the same both to the writ petitioner and the private respondent no.9 preferably by email, if the email details of the writ petitioner and the private respondent no.9 are provided to him at the time of hearing.

11. The entire exercise as indicated in the foregoing paragraph is to be completed by the respondent no.6 authority within forty-five working days from the date of receipt of the demarcation report from the respondent no.7 authority.
12. The time limits, as fixed by this Court, are peremptory and mandatory.
13. Before parting with, this Court further directs that in the event while passing the reasoned order, the respondent no.6 authority finds sufficient merit in the representation of the writ petitioner dated 10.02.2026, he is directed to take all consequential actions soon thereafter.
14. It is further made clear that while disposing the

instant writ petition this Court has not gone into the merits of the representation dated 10.02.2026 as submitted by the writ petitioner and, thus, all points are kept open for adjudication by the respondent no.6 authority.

15. Liberty is given to the learned advocate-on-record for the writ petitioner to communicate the server copy of this order to the respondent nos.6 and 7 authorities, who are directed to act on the sever copy of this order.

16. With the aforementioned observations, WPA 9617 of 2026 is disposed of.

17. There shall, however, no order as to costs.

18. Urgent photostat certified copies of this order, if applied for, be supplied to the parties upon compliance with all the necessary formalities.

(Partha Sarathi Sen, J.)