

M/L- 38
09/06/2026
Ct. No.-19
Aritra

WPA 10584 of 2026
Smt. Sudipa Talik Barh
Vs.
The State of West Bengal & Ors.

Mr. Salil Kumar Maiti
Ms. Dolan Samanta

....for the petitioner

Mr. Amit Chakraborti, AGP
Ms. Soma Chakraborty
Ms. Sarda Sha

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

The learned advocate appearing for the petitioner submits that the registered envelopes addressed to some of the respondents returned with the endorsement 'Addressee absent' and some of the respondents have refused to accept the copy of the writ petition.

State is represented by its learned advocates.

The petitioner claims to be the owner of plot No.598 within Mouza-Sutahata, J.L. No.88 under Police Station-Sutahata in the District of Purba Medinipur. The petitioner states that there is a PWD road running adjacent to the aforesaid property of the petitioner and the private respondents have erected illegal construction upon the PWD road just in front of the property of the petitioner thereby causing obstruction to the ingress and egress of the petitioner from his property to the PWD road.

Petitioner submitted a representation before various authorities including the Assistant Engineer Haldia

Highway Sub-Division, Public Works (Roads) Directorate by a letter dated March 27, 2026.

The 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 encroachment from the PWD road.

The learned advocate appearing for the State, however, disputes the submission of the learned advocate for the petitioner. He submits that immediately upon receipt of the complaint from the petitioner the concerned Assistant Engineer has written a letter to the Block Land & Land Reforms Officer, Sutahata-I, vide memo dated May 5, 2026, requesting such authority to carry out the work of demarcation of the Government plot in front of the *raiya*ti L.R. Plot No.3188 and 3192 on Panskura-Durgachak road, which belong to the Public Works (Roads) Department. The learned advocate appearing for the State further submits that three (3) weeks time may be given to the concerned Block Land & Land Reforms Officer, Sutahata-I to complete the demarcation exercise.

Since an allegation of encroachment upon the PWD road has been made, it is the duty of the respondent authorities to carry out the work of demarcation and to take steps if any encroachment upon the PWD road is found.

In the light of the submission made by the learned advocates for the respective parties, WPA 10584 of 2026 stands disposed of by directing the Block Land & Land

Reforms Officer, Sutahata-I to carry out the work of demarcation as directed by the Assistant Engineer Haldia Highway Sub-Division, Public Works (Roads) Directorate vide memo dated May 5, 2026 upon prior service of notice to the petitioner, the private respondents and any other persons, who may be affected by such demarcation and to prepare a demarcation report along with a sketch plan thereof. The entire work of demarcation shall be completed by the concerned Block Land & Land Reforms Officer, Sutahata-I as expeditiously as possible but positively within a period of 3 weeks from the receipt of a server copy of this order. Immediately upon completion of the work of demarcation, the Block Land & Land Reforms Officer, Sutahata-I shall forward the copy of the demarcation report along with the sketch plan to the petitioner, the private respondents and any other persons, who may be affected by such demarcation as well as to the Assistant Engineer Haldia Highway Sub-Division, Public Works (Roads) Directorate.

If upon such demarcation any encroachment upon the PWD road is found, the Assistant Engineer Haldia Highway Sub-Division, Public Works (Roads) Directorate, being the respondent No.3 shall initiate appropriate proceedings under the West Bengal Highways Act, 1964 and complete the entire exercise under the said provision as expeditiously as possible but positively within a period of 8 weeks from the date of receipt of a copy of the report

from the concerned Block Land & Land Reforms Officer, Sutamata-I.

It is, however, made clear that if upon such demarcation it is found that there has been no encroachment upon the PWD road, such decision shall also be communicated to the petitioner and others within the time limit as indicated hereinbefore.

There will be no order as to costs.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Hiranmay Bhattacharyya, J.)