

Item- 21-05-2026
8.

Ct. 19

sg

WPA 11224 of 2026

Uttam Kumar Santra
Versus
State of West Bengal & Ors.

Mr. Dyutiman Banerjee
Mr. Salil Kr. Maiti
...for the petitioner
Mr. Nilanjan Bhattacharje
Mr. Saikat Dey
...for the State

Affidavit of service filed in Court is taken on record.

In spite of service, none appears for the private respondents.

State is represented by Mr. Bhattacharjee, learned Senior Standing Counsel.

The petitioner claims to be the owner of plots of land being Nos. 11 and 15, within Mouza Suklalpur, JL No. 165, under Police Station Mahishadal, in the District of Purba Medinipur. The petitioner states that the land belonging to the Public Works Department of the State of West Bengal is lying adjacent to the aforesaid plots of the petitioner. The petitioner alleges that the private respondents have raised an unauthorized construction by encroaching upon the land belonging to the PWD thereby causing obstruction to the ingress and egress of the petitioner from his property to the main road. The petitioner submitted a representation before various authorities including the Sub-Divisional Officer, Haldia, praying for removal of encroachment upon the public land.

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 public land till date.

Mr. Bhattacharjee, learned Senior Standing Counsel appearing for the State submits that necessary steps shall be taken in accordance with law if any encroachment from the public land is found. Since the allegation of encroachment upon the public land was made, it is the duty of the respondent authorities to take steps in accordance with law.

In the light of the submission made by the learned Advocate for the respective parties, this writ petition stands disposed of by directing the Sub-Divisional Officer, Haldia, being the respondent no.4 herein to consider the representation of the petitioner dated 19th January, 2026 and after causing enquiry and demarcation of the disputed plot through competent officials, upon prior notice to the petitioner, private respondents and any other party/parties 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 provisions of relevant statute shall be initiated and the entire exercise under the said statute shall be completed as expeditiously as possible but positively within a period of eight weeks from the receipt of a server copy of this order along with a copy of the representation dated 19th January, 2026.

Needless to mention that if it is found that there has been no encroachment upon the public land, such decision shall also be communicated by the fourth respondent to the petitioner within the time limit as indicated hereinbefore.

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

requisite formalities.

(Hiranmay Bhattacharyya, J.)