

15.06.2026
Item No.21
Ct. No.1
KS

W.P.A. (P) 263 of 2026

Ramdeb Sardar & Anr.

Vs.

The State of West Bengal & Ors.

Mr. Gazi Faruque Hossain

Mr. Rakib Hossain Khan

..... For the Petitioners

Mr. Ajit Kr. Mishra, Ld. A.G.P.

Mr. Madhu Jana

Ms. Puja Sonkar

.....For the State

Mr. J. Mondal

.....For the Respondent Nos.9 to 11

DICTATED BY PARTHA SARATHI SEN, J.:

1. The writ petitioners, respondent/State and the private respondent nos.9 to 11 are represented by their respective learned counsels.
2. At the time of hearing, learned counsel appearing on behalf of the writ petitioners, at the very outset, draws our attention to paragraph 6 of the instant writ petition.
3. It is submitted that it is the specific case of the writ petitioners that Plot No.1964 and Plot No.958/1162 situated in Mouza – Dhosa under Police Station – Joynagar, District - South 24 Parganas are recorded as 'Pathway' and thus, the said 'Pathway' have been used by the general

public as public road and such public road is maintained by Public Works Directorate (Roads).

4. It is submitted that it is the further specific case of the writ petitioners that the private respondents have illegally encroached both the aforementioned plots causing serious inconvenience to the writ petitioners as well as to the villagers with regard to free use of the said 'Pathways'.
5. It is submitted that from the Annexure – 'P-3', being a copy of the representation as sent on 23.03.2026, it would reveal that the grievance of the writ petitioners was brought to the notice of the respondent authorities.
6. It is further submitted that despite submission of such representation, the respondent authorities had taken no steps, which promoted the writ petitioners to approach this Court by filing the writ petition with a prayer to issue the appropriate Writ/Writs against the respondent authorities to take appropriate steps for removal of the aforementioned illegal encroachment.
7. Learned counsel for the respondent/State, in his usual fairness, submits before this Court that the

respondent no.3 authority may be directed to consider the representation of the writ petitioners, in accordance with law.

8. Learned counsel for the private respondent nos.9 to 11 though objected the contention of the learned counsel for the writ petitioners, however, he submits that he has got no objection, in the event, the respondent no.3 authority passes a reasoned order on the representation of the writ petitioners after giving due chance of hearing to all the stake holders including the private respondents.
9. In view of such, we while disposing the instant writ petition, directs the respondent no.6 authority to make a demarcation report after causing a field verification after giving due notice to the writ petitioners as well as to the private respondents and to submit such demarcation report with the respondent no.3 authority forthwith.
10. The respondent no.3 authority after obtaining the demarcation report from the respondent no.6 authority, shall cause service of notice upon the writ petitioners and the private respondents and

other stakeholders, if there be any and shall pass a reasoned order upon the aforementioned representation of the writ petitioners, in accordance with law and shall forthwith communicate his reasoned order to all concerned.

11. The entire exercise, as indicated in the foregoing paragraphs, shall have to be completed by the respondent no.6 authority within four weeks from the date of communication of the server copy of this order.

12. The respondent no.3 authority is directed to pass a reasoned order also within four weeks from the date of receipt of the demarcation report from the respondent no.6 authority.

13. The time-limits, as fixed by this Court, are peremptory and mandatory.

14. With the aforementioned observation, the instant writ petition stands disposed of.

15. Liberty is given to the learned counsel on record of the writ petitioners to communicate the server copies of this order to the respondent nos.3 and 6 authorities, who are directed to act on the server copies of this order.

16. Before parting with, it is, however, made clear that while disposing the instant writ petition, we have not gone into the merits of the instant writ petition and thus, all points are kept open for adjudication by the respondent no.3 authority.

17. Urgent photostat certified copy of this order, if applied for, be furnished to the parties expeditiously upon compliance of all legal formalities.

(SUJOY PAUL, CJ.)

(PARTHA SARATHI SEN, J.)