

Court No. 19
(265719)

15.06.2026
(AD 13)
(S. Banerjee)

WPA 12476 of 2026

Biplob Mondal & Anr.
Vs.
The State of West Bengal & Ors.

Mr. Jyoti Prakash Chatterjee
Mr. Arpan Guha

...for the petitioners

Mr. Dibasish Basu
Mr. Barun Ghosh

...for the State

Petitioners allege that the authorities are taking steps to demolish structures on the raiyati property without arriving at a conclusion that there has been encroachment upon the PWD land or government land.

Learned advocate appearing for the State files a report of the Executive Engineer, Howrah Highway Division, Public Works (Roads) Directorate dated June 16, 2026 which is taken on record.

The report states that only after completion of demarcation process only those structures, if any, found to be standing within the government land or constituting encroachment upon such land, shall be dealt with under the provisions of the applicable law including the provisions of West Bengal Highways Act and other relevant statutory provisions.

The relevant portion of the said report is extracted hereinafter:

- “4. In order to ascertain the exact alignment and boundary of the existing road land and to identify any encroachment, if any, upon Government land, the Assistant Engineer concerned requested the Block Land & Land Reforms Officer (BL&LRO), Panchla, Sankrail and Jagatballavpur to undertake demarcation of the relevant land. Such request was made vide Letter No. 201 dated 06.05.2025.
5. Since the demarcation process could not be completed earlier, a further request was made by the Assistant Engineer to the aforesaid BL&LROs vide Letter No. 199 dated 19.05.2026 for expeditious demarcation and identification of the Government land required for the road widening project.
6. It is submitted that the demarcation process by the competent Land and Land Reforms authorities is essential for determining the exact extent of Government road land and for distinguishing the same from private holdings, if any.
7. The respondent authorities have not undertaken any demolition of private property without first determining the actual boundary of Government land through due demarcation by the competent authority.
8. It is further submitted that after completion of the demarcation process, only those structures, if any, found to be standing within Government road land or constituting encroachment upon such land shall be dealt with in accordance with the provisions of the applicable law, including the provisions of the

West Bengal Highways Act and other relevant statutory provisions.

9. The respondent authorities shall act strictly in accordance with law and only after verification of the land records and demarcation reports furnished by the competent revenue authorities.

10. Therefore, at present, the process of identification and demarcation of Government land is under consideration, and any consequential action, if required, shall be undertaken strictly in accordance with law and upon completion of the aforesaid exercise.”

Thus, it appears that the grievance of the petitioners stands redressed for the present.

With the above observations, this writ petition stands disposed of.

Learned advocate appearing for the State is directed to supply copy of the report to the learned advocate appearing for the petitioners in course of this day.

(Hiranmay Bhattacharyya, J.)