

29.06.2026
Item No.22
Ct. No. 19
RP

WPA/13155/2026
SUJIT HALDAR AND ANR.
VS
STATE OF WEST BENGAL AND ORS.

Mr. Gautam Banerjee
Ms. Tithli Pipali
... For the Petitioners
Mr. Nilanjan Bhattacharya, Sr. Standing Counsel
Ms. Jayita Dhar Chakraborty
... For State

1. The writ petitioner and the respondent/State are represented by their respective learned counsels.
2. Affidavit-of-service as filed today on behalf of the writ petitioner is taken on record.
3. None appears on behalf of the private respondents despite service.
4. By filing the instant writ petition the writ petitioners prayed for issuance of appropriate writ and/or writs against the respondent authorities, more specifically against the respondent no.3 authority, commanding him to take appropriate step for removal of illegal encroachment

and/or construction as raised by the private respondents over the public road in front of the land of the writ petitioners, the particulars of which have been mentioned in paragraph 2 of the instant writ petition.

5. Drawing attention to page nos.10 and 11 of the writ petition it is submitted on behalf of the writ petitioner that from the copies of the LR record it would reveal that the writ petitioners are the joint owners of 06 decimal of land in LR Dag No.391, Mouza-Kakdwip, Police Station-Kakdwip. It is submitted that it is the specific case of the writ petitioner that the private respondents without taking any consent from the PWD authority has encroached a portion of the PWD road situated in front of the writ petitioners' land, as a result whereof the writ petitioners are facing difficulty in getting access to the aforementioned land. It is further submitted that despite

submission of the representation dated 20.05.2026, a copy of which has been annexed as Annexure P-2, no action has been taken by the respondent authority.

6. It is, thus, submitted that appropriate relief or reliefs may be granted to the writ petitioners in terms of the prayers made in the instant writ petition.
7. Mr. Bhattacharya, learned Senior Standing Counsel duly assisted by Ms. Chakraborty, learned Advocate in his usual fairness submits before this Court that in the event the respondent no.3 is directed to consider the representation dated 20.05.2026 in accordance with law he will have no objection.
8. In view of such, this Court while disposing the instant writ petition directs the respondent no.5 authority to make a filed verification at the disputed land after giving due and prior notice to the writ petitioners and the private respondents and shall submit a

demarcation report with the respondent no.3 authority positively within 30 working days from the date of communication of the server copy of this order.

9. The respondent no.3 on receipt of the said demarcation report from the respondent no.5 authority shall also give notice to the writ petitioners and the private respondent and thereafter shall consider the representation dated 20.05.2026 in accordance with law and shall pass a reasoned order and shall forthwith communicate the same to the writ petitioner and the private respondent.
10. The entire exercise as indicated in the forgoing paragraphs is to be completed by the respondent no.3 authority within 45 working days from the date of receipt of the demarcation report from the respondent no.5 authority.

11. The time limit as fixed by this Court is peremptory and mandatory.
12. It is made clear that while disposing the instant writ petition this Court has 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.
13. 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.3 and 5 authority, who are directed to act on the basis of the server copy of the order.
14. In view of the above observations, this writ petition is disposed of.
15. Urgent photostat certified copy of this order, if applied for, be delivered to the learned advocates for the parties, upon compliance of all formalities.

(PARTHA SARATHI SEN, J.)