

A-96
11.06.2026
Court No.19
BP

WPA 16953 of 2025

Piarul Islam
-versus-
The State of West Bengal & Ors.

Mr. Hamidur Rahaman
Mr. Parvej Alam
..for the petitioner

Mr. Nilanjan Bhattacharjee, Sr. Standing Counsel
Ms. Jayita Dhar Chakraborty
..for the State

The petitioner alleges that only portions of L.R. Plot Nos. 447 and 448, J.L. No.83 within Mouza Babultali under Police Station Raninagar in the District of Mushidabad has been acquired by the Public Works Department of the Government of West Bengal. In support of such contention the learned advocate appearing for the petitioner places reliance upon the record of rights which is annexed from pages 11 to 18 of the writ petition.

The learned advocate appearing for the petitioner further submits that the portions of the aforesaid plots has been acquired without any proper demarcation for which the petitioner is being prevented by the authorities of the Public Works Department to utilize the unacquired portion of the said plots.

The petitioner submitted a representation before the Assistant Engineer, Sub-Division-III Berhampore

Division-II, Berhampore praying for demarcation of the acquired portion.

Heard Mr. Bhattacharjee, learned senior standing counsel on such submission.

It prima facie appears to this Court that portions of L. R. Plot Nos. 447 and 448 has been acquired for the purpose of the Public Works Department, Government of West Bengal. In case portions of a particular plot has been acquired without any demarcation the raiyats owning the unacquired portion cannot utilize the same according to their wish.

For such reason, this Court feels that the interest of justice would be sub-served if the authorities are directed to carry out a demarcation exercise in order to demarcate the acquired portion of the aforesaid plots of land.

In view thereof, WPA 16953 of 2025 stands disposed of by directing the Assistant Engineer, Berhampore Sub-Division-III, Public Works Directorate, Berhampore, Murshidabad being the 5th respondent to consider the representation of the petitioner dated 7th July, 2025 and in case it is found that only portions of the said plots has been acquired for the purpose of Public Works Department, a demarcation of the acquired portion is to be done by the 5th respondent taking the assistance of the competent Amins/ Surveyors.

The Block Land and Land Reforms Officer, Raninagar-II Block, Murshidabad being the 6th

respondent is directed to render all assistance to the 5th respondent in the matter of demarcation of the acquired portion of the aforesaid plots. The demarcation exercise shall be completed upon notice to the petitioner as well as other co-sharers of the aforesaid plots and the same shall be completed within a period of eight weeks from the receipt of a server copy of this order. The demarcation report as well as the sketch map shall be supplied to the petitioner as well as the other co-sharers of the aforesaid plots and any persons who may be affected by such demarcation. In case the Assistant Engineer is of the view that the demarcation is not necessary in the case on hand such decision shall also be communicated to the petitioner within the time limit as mentioned hereinbefore.

With the above observations, WPA 16953 of 2025 stands disposed of.

There shall be however no order as to costs.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Hiranmay Bhattacharyya, J.)