

Court No. 19
(265719)

06.04.2026
(A 22)
(S. Banerjee)

WPA 17430 of 2025

Nemai Mondal
Vs.
The State of West Bengal & Ors.

Mr. Swarup Banerjee
Mr. Arindam Chatterjee
Mr. Subham Biswas

...for the petitioner

Mr. Supratim Dhar, Sr. Advocate
Mr. Ramchandra Guchhait

...for the State

Affidavit-of-service filed by the petitioner is
kept with the record.

As prayed for by the learned advocate
appearing for the petitioner, leave is granted to the
learned advocate-on-record of the petitioner to add
the Assistant Engineer, PWD, Diamond Harbour Sub-
Division, as a party-respondent in this writ petition.

Petitioner claims to be the owner of a plot of
land situated within Mouza – Dakshin Kuleswar in
the district of South 24 Parganas and alleges that the
private-respondents have erected an unauthorized
construction by encroaching upon the PWD road
running adjacent to the aforesaid property of the
petitioner thereby obstructing the ingress and egress
of the petitioner from his property to the PWD road.

Petitioner claims to have submitted a representation dated July 12, 2025 before various authorities.

Learned advocate appearing for the petitioner, in his usual fairness, submits that immediately after filing of the writ petition the petitioner has been served with a memo dated September 20, 2025 issued by the Assistant Engineer, Public Works Department, Diamond Harbour Sub-Division requesting the Block Land and Land Reforms Officer, Diamond Harbour I to make arrangement for demarcation of the plot in question and to send a sketch map along with the record of rights along with the report as to whether the disputed land belongs to the Public Works Department, Diamond Harbour Sub-Division or not.

Mr. Dhar, learned Senior Advocate appears for the State. He submits that necessary steps shall be taken in accordance with law if any encroachment upon the PWD road is found.

Without entering into the merits of the claims made by the petitioner in the representation dated July 12, 2025, this writ petition stands disposed of by directing the Block Land and Land Reforms Officer, Diamond Harbour I, South 24 Parganas to demarcate the property in question as per the request made by the Assistant Engineer, Public Works Department,

Diamond Harbour Sub-Division vide memo dated September 20, 2025 and after causing necessary demarcation upon prior service of notice to the petitioner, the private-respondents and any other person who may be affected by such demarcation, the report along with the sketch map and other particulars shall be forwarded to the petitioner, the private-respondents and any other person affected by such demarcation as well as to the Assistant Engineer, Public Works Department, Diamond Harbour Sub-Division.

Upon receipt of such report the Assistant Engineer, Public Works Department, Diamond Harbour Sub-Division shall take necessary steps in accordance with law including initiation of an appropriate proceeding under the relevant statute and ensure that the entire exercise is completed as expeditiously as possible but positively within a period of 12 weeks from the receipt of a server copy of this order along with a copy of the representation dated July 12, 2025.

(Hiranmay Bhattacharyya, J.)