

M/L- 43
06/04/2026
Ct. No.-19
Aritra

WPA 17821 of 2025
Sri Surja Kanta Maity
Vs.
The State of West Bengal & Ors.

Mr. Snehasis Jana
Ms. A. Bera Maity

....for the petitioner

Mr. Jahar Lal De, AGP
Mr. Sutanu Chakrabarti

....for the State

Affidavit of service filed in Court today is taken on record.

The learned advocate for the petitioner submits that the private respondents have been duly served.

In spite of service none appears for the private respondents.

The petitioner claims to be the recorded owner of Plot No.521 within Mouza-Tentulia, J.L. No.3 under Police Station-Egra in the District of Purba Medinipur.

The petitioner alleges that the respondent Nos.11 to 14 have constructed their respective houses on the road side land under the ownership and control of the PWD being Plot No.532 which is situated just in front of the property of the petitioner being Dag No.521.

The petitioner alleges that as result of such unauthorised construction the ingress and egress of the petitioner from his property to the PWD road is being obstructed.

Petitioner claims to have submitted a representation dated June 23, 2025 before the Assistant Engineer, Contai Sub-Division, Public Works Directorate, Contai being the

respondent No.6, praying for removal of unauthorised encroachment from the PWD land.

The learned advocate appearing for the petitioner submits that in spite of receipt of such representation, no effective steps have been taken by the respondent authority till date for removal of the unauthorised encroachment.

Mr. De, learned Additional Government Pleader however disputed the submission made by the learned advocate for the petitioner. He submits that immediately upon receipt of the representation from the petitioner, Assistant Engineer, Contai Sub-Division, Public Works Directorate, Contai wrote a letter vide memo dated August 27, 2025 addressed to the Block Land & Land Reforms Officer, Egra-I Block, requesting such authority to make necessary arrangement for demarcation of the PWD land at Mouza-Tentulia in front of the property of the petitioner.

Though the petitioner claims to be the owner of Plot No.521 and states that the PWD land being Plot No.532 is lying in front of the petitioner's Plot No.521 but from the memo dated August 27, 2025, it appears that the jurisdictional Assistant Engineer has requested the Block Land & Land Reforms Officer to demarcate the PWD land in front of Plot No.532.

Without entering such controversies at this stage, this Court feels that the interest of justice would be subserved if the Block Land & Land Reforms Officer is directed to carry out the work of demarcation of the

disputed plot and prepare a report along with a sketch map of such demarcation.

In the light of the submission made by the learned advocate for the respective parties, WPA 17821 of 2025 stands disposed of by directing the Block Land & Land Reforms Officer, Egra-I Block, being the respondent No.9 to carry out the work of demarcation of the disputed property being the PWD land lying in front of the property of the petitioner and to complete the work of demarcation as expeditiously as possible but positively within a period of 10 weeks from the receipt of server copy of this order.

Needless to mention that the work of demarcation shall be carried out upon prior service of notice to the petitioner, the private respondents and any other person, who may be affected by such demarcation and the report of such demarcation along with the sketch map and other particulars shall be forwarded to the petitioner, the private respondents and any other persons, who may be affected by such demarcation as well as the jurisdictional Assistant Engineer being the respondent No.6.

Upon receipt of such report, if any encroachment is found, the respondent No.6 shall take appropriate steps including initiation of a proceeding under the relevant statute and complete such exercise as expeditiously as possible but positively within a period of 6 weeks from the receipt of a copy of the report from the concerned Block Land & Land Reforms Officer.

If, however, it is found that the plot in respect of which an allegation of encroachment has been made does not fall within the jurisdiction of the respondent No.6, the said respondent authority shall simultaneously forward the matter to the appropriate authority vested with the jurisdiction to deal with the issue of removal of encroachment.

Needless to mention that if such authority arrives at a conclusion that there is no encroachment upon the PWD road or the land, such decision shall be communicated to the petitioner and others within the time limit mentioned hereinbefore.

There will be no order as to costs.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Hiranmay Bhattacharyya, J.)