

Item- 61. 16-02-2026

sg Ct. 19

WPA 23733 of 2025

Asit Kumar Khanra
Versus
The State of West Bengal & Ors.

Mr. Sanjukta Majumdar
...for the petitioner
Mr. Dwarika Nath Mukherjee
Mr. Manik Lal De
...for the State

The petitioner claims to be the owner of 3 decimals of bastu land situated at Mouza Natshal-I, J.L. No. 157, being plot no.4035/4728 in the District of Purba Medinipur. The petitioner alleges that the Panchayat authorities have constructed road by encroaching upon the property of the petitioner measuring 1 decimal without initiating any proceeding for requisition and acquisition.

Mr. Mukherjee, learned Advocate appearing for the State, submits a report of the Block Development Officer, Mahishadal, Purba Medinipur dated 1st December, 2025, which is taken on record.

A copy of the order dated 13th March, 2025 passed by the Block Development Officer, Mahishadal, Purba Medinipur, pursuant to an order passed in WPA 2176 of 2024 is appended to the report dated 1st December, 2025. It appears therefrom that upon inquiry, it was found that the writ petitioner never possessed the aforesaid 1 decimal of land which he claims that it is situated in the road. From the hand sketch map, it transpires that three different riayats, namely, Dilip Samanta, Pradip Samanta and Ramchandra Das are in

possession over the suit plot and they are situated in between the writ petitioner and the concrete road and the concrete road is not situated adjacent to the writ petitioner's land and such fact has also been admitted by the petitioner in course of the hearing.

The report further states that the road is in existence for last 40 years and initially it was morrum and subsequently was made concrete and the petitioner purchased the suit plot from one Bisheswar Das in the year 1992.

The Block Development Officer recorded a factual finding that the road was constructed much prior to the purchase of the property of the petitioner. It further appears from the records that a suit being Title Suit No. 182 of 2022 is also pending.

It appears to this Court that there is a dispute between the private parties with regard to demarcation of their respective properties. That apart the road is in existence since 40 years.

The petitioner could not demonstrate that his property has been utilized for the purpose of construction of the road by the Panchayat Authority.

For the reasons as aforesaid, this Court is not inclined to grant any relief to the petitioner.

Accordingly, the writ petition is dismissed. However, there shall be no order as to costs.

(Hiranmay Bhattacharyya, J.)