

D/L- 12
24/02/2026
Ct. No.-19
Aritra

WPA 26028 of 2025
Sri Sukhendu Pradhan & Anr.
Vs.
The State of West Bengal & Ors.

Mr. Dilip Kumar Shyamal
Mr. Pratap Kumar Yadav

....for the petitioners

Mr. Debjit Mukherjee
Ms. Priyanka Jana

....for the State

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

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

In spite of service none appears for the private respondents.

Mr. Mukherjee, learned advocate appears for the State.

The petitioners claim to be the owner of L.R. Dag No.2229 and 2230 of L.R. Khatian No.4882 and 4884 within Mouza-Shibnagar Abad under Police Station-Namkhana in the District of South 24-Parganas.

The petitioners state that National Highway No.117 is running adjacent to the aforesaid property of the petitioner. The petitioners state that the private respondents have raised an unauthorised construction by encroaching upon the land of the National Highway

thereby obstructing the ingress and egress of the petitioners from their property to the National Highway.

The petitioners submitted a representation dated October 7, 2025 before the various authorities including the Assistant Engineer, Kakdwip National Highway Sub-Division, Public Works (Roads) Directorate, for removal of encroachment from the National Highway.

The learned advocate appearing for the petitioners submits that the National Highway adjacent to the aforesaid property of the petitioner is maintained by the Public Works (Roads) Directorate and, therefore, the Assistant Engineer, Kakdwip National Highway Sub-Division, Public Works (Roads) Directorate, being the respondent No.4, should be directed to take a decision on the issue of removal of encroachment.

Mr. Mukherjee, learned advocate appearing for the State submits that immediately upon receipt of the complaint from the petitioners, the Assistant Engineer, Kakdwip National Highway Sub-Division, Public Works (Roads) Directorate, being the respondent No.4, requested the Block Land & Land Reforms Officer, Namkhana, being the respondent No.5, to demarcate the Right of Way of National Highway No.117 in front of L.R. Dag No.2229 and 2230 of Mouza-Abad under Police Station-Namkhana in the District of South 24-Parganas and to submit a report showing encroachment upon the National Highway if any.

Mr. Mukherjee further submits that the demarcation shall be completed within the time limit as may be fixed by this Court.

In the light of the submission made by the learned advocates for the respective parties, WPA 26028 of 2025 stands disposed of by directing the Block Land & Land Reforms Officer, Namkhana, being the respondent No.5, to carry out the work of demarcation as per request made by the Assistant Engineer, Kakdwip National Highway Sub-Division, Public Works (Roads) Directorate by letter dated November 19, 2025, and to prepare a report along with a sketch map of such demarcation.

Needless to mention that the work of demarcation shall be carried out upon prior service of notice to the petitioners, the private respondents or any other persons, who may be affected by such demarcation. The work of demarcation shall be completed as expeditiously as possible but positively within a period of 8 weeks from the date of receipt of a server copy of this order. The report along with the sketch map shall be forwarded to the petitioners, the private respondents or any other persons, who may be affected by such decisions as well as to the Assistant Engineer, Kakdwip National Highway Sub-Division, Public Works (Roads) Directorate, being the respondent No.4, within the time limit mentioned hereinbefore.

Upon receipt of such report, if any encroachment upon the National Highway is found, the Assistant Engineer, Kakdwip National Highway Sub-Division, Public Works (Roads) Directorate, being the respondent No.4 shall initiate proceeding in accordance with law and the entire exercise shall be completed as expeditiously as possible but positively within a period of 6 weeks from the date of receipt of the report from the Block Land & Land Reforms Officer, Namkhana, being the respondent No.5.

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.)