

Sl.21
05.01.2026
Court No.19
BP

WPA 27227 of 2025

Dulal Chandra Mondal
-versus-
The State of West Bengal & Ors.

Mr. Debasish Sur
Mr. Rajib Kumar Acharyya
..for the petitioner

Mr. Debnarayan banerjee
Ms. Saira Banu
..for the State

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

The learned advocate appearing for the petitioner submits that the private respondent has been duly served.

In spite of service none appears for the private respondent.

The petitioner claims to be the owner of L.R. Plot Nos. 3939 and 3940 within Mouza Srirampore, J.L. No. 253 under Block Tampuk-I in the District of Purba Medinipur.

The petitioner states that a State Highway from Moyna via Srirampore-Tamluk State Highway is running adjacent to the aforesaid property of the petitioner. The petitioner alleges that the private respondent has made an unauthorised pucca construction by encroaching upon the PWD land being L.R. Plot No. 3939. The petitioner submitted a representation dated 4th November, 2025

before various authorities including the Assistant Engineer, Public Works (Roads) Directorate, Panskura Highway Sub-Division praying for removal of unauthorised encroachment from PWD roads.

The learned advocate appearing for the petitioner submits that no steps have been taken by the respondent authorities pursuant to the representations submitted by the petitioner.

The learned advocate appearing for the State submits that immediately after receipt of the representation from the petitioner the Block Land and Land Reforms Officer was requested to carry out the work of demarcation of the Government plot. He further submits that necessary steps for demarcation shall be taken and completed within the time limit as may be fixed by this Court.

After going through the averments made in the writ petition it is evident that the petitioner also claims to be in possession of L.R. Plot No. 3939. The petitioner claims that Plot No. 3939 is vested with the State and the control and administration of the said land is upon the PWD road. Since an allegation of encroachment upon the PWD road has been made, it is the duty of the respondent authority to consider such representation and to take necessary steps for removal in case any encroachment upon the PWD road is found to have been made.

In the light of the submissions made by the learned advocates for the respective parties, WPA 27227 of 2025 stands disposed of with the following directions :

The Block Land and Land Reforms Officer, Tamluk-I Block, Purba Medinipur being the respondent no.7 is directed to demarcate the plot of land in question which is claimed to be under the control and administration of PWD road being L.R. Dag No. 3939 and to complete the work of demarcation including preparation of sketch map and the report as expeditiously as possible but positively within a period of six weeks from the date of receipt of a server copy of this order. The work of demarcation shall be conducted after serving notice upon the petitioner and any other person who may be affected by such work of demarcation and the report along with the sketch map shall be supplied to the petitioner and any other person who may be affected by such demarcation. The copy of the said report along with the sketch map shall also be forwarded to the Assistant Engineer, Public Works (Roads) Directorate, Panskura Highway Division, Purba Medinipur being the 6th respondent immediately thereafter. Upon receipt of the report from the concerned Block Land and Land Reforms Officer, if any encroachment is found to have been made either by the petitioner or any other person, immediate steps for removal of such encroachment shall be taken by the Assistant Engineer, Public Works (Roads) Directorate,

Panskura Highway Division, Purba Medinipur being the 6th respondent and the entire exercise under Section 10 of the 1964 Act by the 6th respondent shall be completed as expeditiously as possible but positively within a period of four weeks from the date of receipt of a copy of the report from the concerned Block Land and Land Reforms Officer.

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.)