

Item-
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22.

Ct. 19

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WPA 27284 of 2025

Snehashish Ghosh
Versus
State of West Bengal & Ors.

Mr. Manas Kumar Das
Mr. Aritra Kumar Thakdar
...for the petitioner
Ms. Munmun Ganguly
Ms. Anima Das Chakraborty
... for the State
Mr. Tanmoy Mukherjee
Mr. Pradip Paul
Ms. R. Dey
...for the respondent nos. 8-14

On the prayer of the learned Advocate for the writ petitioner, leave is granted to the learned Advocate-on-Record of the petitioner to add Block Land & Land Reforms Officer, Khargram as party respondent in this writ petition.

Let this amendment be carried out by the learned Advocate-on-Record of the petitioner, here and now.

Since the State is represented by the learned Advocate, there is no necessity to serve the amended copy of the writ petition upon the added respondent.

However, the learned Advocate-on-Record for the petitioner shall be obliged to serve copy of the amended cause title of the writ petition to the learned Advocate representing the State and the private respondents forthwith.

The petitioner alleges that the private respondents have made a construction by encroaching upon PWD road being LR plot no. 2754, within Mouza Joypur, under Police Station Khargram in the District of Murshidabad. The

petitioner submitted a representation before the Executive Engineer praying for removal of encroachment from the PWD road.

Mr. Mukherjee, learned Advocate appearing for the respondent nos. 8 to 14, submits that the private respondents have not made any construction over LR plot no. 2753.

The learned Advocate appearing for the State files a copy of the report of the Officer-in-Charge, Khargram Police Station dated 8th December, 2025, which is taken on record.

It appears from the said report that on inquiry, it is found that several shops are situated in the row along the PWD roadside area at Joypur More under Khargram Police Station. However, since the allegation of encroachment upon the PWD road has been made, it is the duty of the respondent authorities to take a decision as to whether any portion of the PWD road has been encroached by any party.

In the light of the submissions made by the learned Advocates for the respective parties, this writ petition is disposed of with the following directions:

- (i) The Assistant Engineer, Highway Department, PWD Road, Kandi, being the 4th respondent, is directed to make a request to the Block Land & Land Reforms Officer, Khargram Block to demarcate the plot which is under the control and administration of the PWD Roads lying in front of the property of the petitioner, within a period of two weeks from the date of receipt of the server copy of this order.
- (ii) Immediately upon receipt of such request, the

concerned Block Land & Land Reforms Officer shall make a demarcation of the PWD road by engaging competent Amin(s)/Surveyor(s) for such purpose and prepare a report along with a sketch map.

- (iii) The work of demarcation shall be carried out after serving advance notice upon the petitioner, private respondents and any other persons who may be affected by such demarcation.
- (iv) The report along with the sketch map shall be supplied to the petitioner, the private respondents and any other affected party immediately thereafter.
- (v) The entire work of demarcation shall be completed by the concerned Block Land & Land Reforms Officer and copy of the report be forwarded to the Assistant Engineer, PWD Roads as expeditiously as possible but positively within a period of six week from the date of request being made in that regard by the concerned Assistant Engineer, Highway Department, PWD Roads, being the fourth respondent.
- (vi) Immediately upon receipt of the said report from the concerned Block Land & Land Reforms Officer, the Assistant Engineer, Highway Department, PWD Roads, being the fourth respondent, shall take necessary steps under Section 10 of the West Bengal Highways Act, 1964 in case any encroachment upon the PWD road is found and complete the entire exercise as contemplated under Section 10 as

expeditiously as possible but positively within a period of four weeks from the date of receipt of the report from the concerned Block Land & Land Reforms Officer.

WPA 27284 of 2025 is, accordingly, disposed of.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Hiranmay Bhattacharyya, J.)