

10.02.2026
Sl. No. 07
g.b.
Court No.15

W.P.A. 27570 of 2025

Anjana Dey & Ors.
Vs-
The State of West Bengal & Ors.

Mr. Satyam Mukherjee
Mr. Purnendu Shekhar Ghosh
Mr. Saibal Rakshit
.....For the Petitioners
Ms. Jhuma Chakraborty
Mr. Asish Dutta
....For the State

The predecessor-in-interest of the petitioners filed a writ petition (WPA 19891 of 2022) before this Court alleging, inter alia, that the Kumra Gram Panchayat had constructed a road encroaching upon a plot of land owned by him.

A Co-ordinate Bench of this Court, by an order dated 12th May, 2023, disposed of the writ petition directing, inter alia, as follows:

“The writ petition is disposed of granting liberty to the petitioner to approach the gram panchayat for a resolution, so that the road which had been constructed long time ago may remain, but some kind of compensation or cost be paid to the petitioner for utilization of his land. The area shall be identified upon demarcation and measurement of the land. If it is found that some portion or the entire portion of the land recorded in the name of the petitioner had been utilized, payment will have to be made by taking the approximate land value of 2002 as the applicable rate. The road had been constructed in 2002 for the villagers and was under the control of the authorities. The same was cemented in 2022 when the petitioner protested. The petitioner is unable to

show any evidence of any protest or dissatisfaction to the construction of such road, before 2022.

The Block Land and Land Reforms Officer shall deploy a person from his office to take the measurement and demarcate the petitioner's land, in presence of all the parties. A report shall be prepared and handed over to the parties. Thereafter, the gram panchayat shall take into consideration the modalities by which the matter can be resolved and the Sub-Divisional Officer, Barasat Sadar shall monitor and supervise the entire process. A reasoned order shall be passed and communicated to the petitioner, by the gram panchayat. The entire exercise shall be completed within two months from the date of receipt of the petitioner's representation."

However, the concerned Pradhan, without providing any report of the BLLRO to the petitioners, passed an order dated 10th July, 2025. Upon considering the grievance of the petitioners, the Pradhan found that the road had been constructed without encroaching upon the land of the petitioners. The Pradhan, therefore, held that no compensation is payable to the petitioners.

The said order of the Panchayat Pradhan has been challenged by filing the present writ petition.

Learned counsel appearing for the petitioners has rightly argued that the Pradhan should not have passed the order dated 10th July,

2025, without providing a copy of the BLLRO Report to the petitioners.

A copy of the said BLLRO report has now been produced before this Court and furnished to the learned counsel for the petitioners.

In my view, the Pradhan ought to have provided a copy of the BLLRO Report to the petitioners prior to arriving at his decision to comply with the principle of natural justice. Accordingly, the order of the Pradhan dated 10th July, 2025, is set aside.

The petitioners shall be at liberty to file any exception to the BLLRO Report before the Pradhan within a period of one month from the date of communication of this order. Thereafter, the Pradhan shall hear all concerned and pass a fresh order in accordance with the order dated 12th May, 2023, passed in WPA 19891 of 2022 within two months from the date of communication of this order.

Accordingly, **WPA 27570 of 2025** stands disposed of.

(Kausik Chanda, J.)