

Ct.No.1      D/L    07.01.2026  
33

Saikat  
Mukherjee

**WPA(P)/594/2025**

**SUBHADIP GHOSH CHOWDHURY  
VS  
STATE OF WEST BENGAL AND ORS.**

Mr. Tanmoy Basu, Adv.  
Mr. Sayan Banerjee, Adv.  
Mr. Md. Asif Iqbal, Adv.

...For the Petitioner

Mr. Swapan Kr. Dutta, G.P.  
Mr. Biplab Guha, Adv.  
Mr. Tapas Kr. Das, Adv.

...For the State-Respondent

**Per, Partha Sarathi Sen, J.:-**

1. Affidavit-of-service, as filed on behalf of the writ petitioner, is taken on record.
2. Learned advocate for the Respondent-State has submitted Status Report dated 30<sup>th</sup> December, 2025, which is also taken on record.
3. By filing the instant writ petition, which is in the nature of a public litigation, the writ petitioner has prayed for issuance of appropriate writ/writs against the respondent authorities, more specifically against the Respondent No.5 authority to take appropriate action for removal of the unauthorised construction raised on Debagram-Tehatta Ghat Road in front of Barnia Bazar Bus Stand over Plot No.8613 in Mouza-26.
4. It is contended that the private respondents made illegal construction encroaching the public road within the

meaning of West Bengal Highways Act and, therefore, an appropriate relief may be granted to the writ petitioner in terms of the prayers of the instant writ petition commanding the Respondent No.5 to take appropriate steps for removal of the encroachment as raised by the private respondents.

5. On perusal of the Report, as submitted today on behalf of the State, it reveals that the jurisdictional B.L.L.R.O. has fixed a date for demarcation on 20<sup>th</sup> January, 2026.
6. In view of the progress, as available from the Report submitted by the Respondent-State, we direct that the entire process of demarcation shall have to be completed positively by the last day of January, 2026, by the jurisdictional B.L.L.R.O.
7. It is further directed that soon thereafter jurisdictional B.L.L.R.O. shall forward the said report to the Respondent No.5 authority.
8. The Respondent No.5 authority on receipt of such demarcation report shall consider the representation dated 26<sup>th</sup> December, 2025, as submitted by the writ petitioner in accordance with law in the light of the said demarcation report of the jurisdictional B.L.L.R.O. and after giving due opportunity of hearing both to the writ petitioner and the private respondents and/or any other stakeholders, shall pass a reasoned order and shall forthwith communicate the same to the writ petitioner and other stakeholders, if there be any. The entire exercise, as indicated hereinabove, shall have to be

completed by Respondent No.5 authority within the 15<sup>th</sup> day of March, 2026.

9. Time limit as fixed by this court is mandatory and peremptory.

10. It is further directed that in the event, while disposing of the representation dated 26<sup>th</sup> December, 2025, the Respondent No.5 finds sufficient merit in such representation, he is directed to take appropriate action in terms of provision of section 10 of West Bengal Highways Act soon thereafter.

11. With the aforementioned observation, WPA(P) No.594 of 2025 is disposed of.

12. It is, however, made clear that while disposing of the instant writ petition we have not gone into the merit of the representation dated 26<sup>th</sup> December, 2025, and thus, all points are kept open for adjudication by the Respondent No.5.

13. Urgent Photostat certified copy of this order, if applied for, be given to the parties, on priority basis, upon compliance of all necessary formalities.

**(SUJOY PAUL, ACJ.)**

**(PARTHA SARATHI SEN, J.)**