

Item-
17. 19-01-2026

WPA 29798 of 2025

sg Ct. 19

Abdul Suban Ali Khan
Versus
The State of West Bengal & Ors.

Mr. Lakshminath Bhattacharya
...for the petitioner
Sk. Md. Galib
Mr. Manish Biswas
...for the State
Mr. Tarun Kumar Das
Mr. Dilip Kumar Shyamal
...for the respondent no.12

The petitioner namely, Abdul Suban Ali Khan, has challenged the order dated November 25, 2025 passed by the Executive Engineer, National Highway Division-I, Public Works (Roads) Directorate.

Mr. Bhattacharya, learned Advocate appearing for the petitioner submits that the order of removal of encroachment was passed on the basis of a land demarcation report submitted by the Block Land & Land Reforms Officer, Namkhana dated August 10, 2023 without serving any copy of such report to the petitioner.

The order dated 25 November, 2025 records that the persons other than the petitioner, namely, Anarul Sekh and Smt. Sushma Pal are also identified as responsible for unauthorized encroachment/occupation and along with the petitioner they were also directed to remove the encroachment.

Since it is only the petitioner who has challenged the order dated November 25, 2025, it is, however, made clear that any direction passed in this writ petition, shall not

preclude the respondent authorities from taking any steps in terms of the order dated November 25, 2025 as against Anarul Sekh and Sushma Pal.

The report dated January 15, 2026 of the Executive Engineer, National Highway Division-I, Public Works (Roads) Directorate filed by Mr. Galib, learned Senior Government Advocate, in Court is taken on record. Along with the said report a sketch map has been appended thereto.

After going into such sketch map, this Court finds that the portions A, B, C and D have been identified in the said map to have been encroached by the encroachers.

On a query of this Court, Mr. Galib, learned Senior Government Advocate, submits that he has not taken any instruction as to whether the demarcation was made upon notice to the petitioner and the private respondent.

Let a report be filed by the Block Land & Land Reforms Officer, Namkhana, being eighth respondent, as to whether any notice prior to the demarcation was issued upon the petitioner and the others, who may be affected by such demarcation.

List this matter under the same heading on **January 29, 2026.**

The learned Advocate for the petitioner is directed to circulate the report filed in Court today to the respondent parties.

(Hiranmay Bhattacharyya, J.)

