

W.P.A. 9911 of 2019

Hrishikesh Nayak
-Vs-
The State of West Bengal & Ors.

Mr. Amit Baran Dash.
.....for the petitioner.

Mr. Susovan Sengupta,
Mr. Manas Kumar Sadhu.
.....for the State.

The petitioner is complaining that the private respondents, being respondent nos. 10 to 16 herein, have put up unauthorized construction over the Government land in front of the land belonging to him thereby causing serious inconvenience to him in enjoyment of his land.

The petitioner gave a representation to the Executive Engineer, Tamluk, Public Works Department, the respondent no. 2 herein for redressal of his said grievance. The petitioner alleges that no action on the basis of his said representation has been taken so far.

A complaint of encroachment of Government land when has been made, the said respondent no. 2 herein, being the authority under Section 10 of the West Bengal Highways Act, 1964 is obliged to look into the matter.

WPA 9911 of 2019 is therefore, disposed of by directing the said respondent no. 2 to

consider and dispose of the said representation of the petitioner appearing at page '19' of the writ petition being Annexure 'P-2' in accordance with law by a reasoned order after giving the petitioner, the private respondents and all other necessary parties an opportunity of being heard.

The respondent no.2, for the purpose of identification of the said Government land can take assistance of the concerned B.L&L.R.O.

The respondent no.2 is requested to complete his exercise in this regard within four months from the date of communication of this order.

The petitioner is required to serve a copy of this order along with a complete copy of the writ petition upon the respondent no.2 within a week from date.

Since no affidavit-in-opposition has been invited, the allegations made in the writ petition are deemed to have been denied by the respondents.

There shall be no order as to costs.

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

(Biswajit Basu, J.)

