

22.06.2021.
Item no. 78.
Court No.13
ap

**W.P.A. No. 10645 of 2019
With
CAN 1 of 2020
And
CAN 2 of 2020
(Through Video Conference)**

**Rabi Sankar Dalai
Versus
The State of West Bengal & Ors.**

Mr. Ashim Kumar Routh.

...For the petitioner.

Mr. Chandi Charan De, ld. A.G.P.
Mr. Anirban Sarkar.

..For the State.

Counsel for the petitioner submits that the Assistant Engineer, Contai Sub-Division, PWD (Roads) has served him with a copy of the report dated 18th September, 2020. The said report has been prepared pursuant to the order dated 26th June, 2019 passed by a Co-ordinate Bench of this Court.

In the said report, the said Assistant Engineer, Contai Sub-Division, PWD (Roads) has clearly stated that the private respondent nos.6 to 11 have in fact encroached upon Government lands.

In those circumstances, this Court directs the Executive Engineer, PWD Tamluk Sub-Division, Tamluk, Purba Medinipur to complete the proceeding under Sections 10(1), 10(2) and 10(3) of the West Bengal Highways Act, 1964. Consequential steps including execution thereof shall be undertaken by the

concerned Authority under the P.W.D. strictly in accordance with the provisions of the said Highways Act, 1964, referred to hereinabove.

It is expected that the proceedings under Sections 10(1), 10(2) and 10(3) of the said Act, as indicated hereinabove, shall be completed within a period of two months from the date of communication of a copy of this order.

In view of the above, the instant writ petition shall stand disposed of.

In view of the disposal of the above writ application, the connected applications being CAN 1 of 2020 and CAN 2 of 2020 shall also stand disposed of.

The petitioner shall serve notice of this order by Speed Post with Acknowledgement Due Card on all the private respondents.

Photostat copies of the report dated 18th September, 2020 along with the copies of CAN 1 of 2020 and CAN 2 of 2020 filed in Court today by the Counsel for the petitioner may be taken on record.

There will be no order as to costs.

All parties are directed to act on a server copy of this order on usual undertakings.

(Rajasekhar Mantha, J.)

