

December 13, 2021

ARDR

(21)

W.P.A. 14157 of 2021

Janardan Bhunya @ Bhunia

Vs.

The State of West Bengal & Ors.

Mr. Amanul Islam,
Mr. Sourav Mukherjee,

...for the petitioner.

Ms. Sutapa Sanyal,
Mr. Susnita Saha,

...for the State.

Affidavit of service filed by the petitioner, be taken on record.

The petitioner's grievance is that the private respondents have encroached upon the Government land and have raised illegal construction thereon, thereby obstructing the egress and ingress of the petitioner. The petitioner filed a representation before the concerned authority on 28th July, 2021, but the same is yet to be disposed of.

In submitting a report by the Assistant Engineer, Contai Highway Sub-Division, P.W. (Roads), Department, learned counsel for the State respondents submits that upon survey of the plots in question, unauthorised occupation of such plots has been detected and notice under Section 10 (1) of the West Bengal Highways Act, 1964 has been issued upon the encroachers. Report filed by the State respondents demonstrates that the proceeding

under Section 10 of the Act of 1964 has already been initiated.

I, therefore, dispose of the writ petition with a direction upon the State respondents to conclude the said proceeding within a period of four months from the date of communication of this order, in accordance with law. The petitioner should communicate this order to the concerned authority at the earliest.

WPA 14157 of 2021 is disposed of. However, there shall be no order as to costs.

Since no affidavit is invited, the allegations contained in the petition are deemed not to be admitted.

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

(Suvra Ghosh, J.)