

**W.P.A. 11541 of 2020**

**(Via Video Conference)**

Rahul Amin Mallick  
Vs.  
State of W. B. & Ors.

Mr. Lakshminath Bhattacharya  
...for the petitioner.

Mr. Susovan Sengupta  
Mr. S. Paul  
...for the State.

Mr. Suprovat Bhattacharya  
...for respondent Nos.9 to 11.

Heard the parties.

The grievance of the petitioner is directed against the wrongful and illegal construction on the part of the private respondents.

It is submitted on behalf of the parties that although appropriate proceedings have been initiated under the West Bengal Highways Act, 1964 and steps have also been initiated by the respondent authorities, the entire illegal and unlawful construction by the private respondents, has not yet been removed.

The submission of the petitioner is controverted by the private respondents relying on a report to the Chief Engineer to contend that the entire illegal construction has been removed.

Mr. Sengupta, appears on behalf of the State and submits that the concerned respondents being the respondent No.5 be directed to conclude the proceedings initiated under the West Bengal Highways Act, 1964 in accordance with law and remove all the illegal and unlawful construction, if any.

I note that the aforesaid proceedings were initiated in the year 2017. In view of the submissions made on behalf of the parties, the respondent No.5 is directed to conclude the proceedings initiated under the West Bengal Highways Act in accordance with law and taking their logical conclusion by removing the remaining illegal and unlawful constructions, if any.

Accordingly, WPA 11541 of 2020 is disposed of. However, there will be no order as to costs.

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

**(Ravi Krishan Kapur, J.)**