

W.P.A. 11775 of 2020

(Via Video Conference)

Bhaktipada Ghosh
Vs.
State of W.B. & Ors.

Mr. Samiran Mandal
Mr. S.C. Dhara
Mr. A. Dan ...for the petitioner.

Mr. Soumitra Bandyopadhyay
Mr. Subhasis Bandyopadhyay ...for the State.

Mr. Soumik Ganguly ...for the Respondent No.5.

Heard learned counsels for the parties.

The petitioner being the owner of the land in question complains that such land has been encroached by the respondent No.5 for construction of a road under the Pradhan Montri Gramin Sadak Yojona Scheme. The consent of the petitioner was not taken in encroaching the land in question.

The petitioner prays for return of his portion of the land by the respondent No.5.

The learned counsel appearing on behalf of the respondent No.5 submits that his client is ready and willing to hand over the land in question to the petitioner.

He further submits that the petitioner's land in question be returned to the petitioner and the village road

may be completed/constructed through an alternative route without encroaching upon the petitioner's land.

Accordingly, the writ petition is disposed of with a direction upon respondent No.5 to return the land in question belonging to the petitioner by dismantling such portion of the public road, within one month from date.

Accordingly, WPA 11775 of 2020 is disposed of. There will be no order as to costs.

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

(Suvra Ghosh, J.)