

12.12.2022
sayandeep
Sl. No. 18
Ct. No. 05

WPA 6113 of 2022

Swapan Kr. Maity & Ors.
-Versus-
State of West Bengal & Ors.

Mr. Debnarayan Patra
..... for the petitioners
Mr. T. M. Siddiqui
Mr. D. Ghosh
.....for the State
Mr. Pradip Paul
Mr. Gaurab Ghosh
.....for the respondent No. 7

The Report of the respondent No. 6 being the BL&LRO, Sabang, Paschim Medinipur is taken on record. Paragraph 4 of the Report indicates that the private respondent has encroached upon 320 sq.ft. area of land of the PWD which is adjacent to the petitioner's plot of land by constructing a "*pucca*" structure.

Learned counsel appearing for the parties submits that the respondent No. 3 being the Assistant Engineer, Keleghai Bridge Highway Sub-Division, Paschim Medinipur may be directed to conduct an enquiry into the alleged construction made by the private respondent. It may be noted that Section 10(1) of the West Bengal Highways Act, 1964 provides for a notice on the person who is found to have encroached on any land or road which is declared to be a highway.

WPA 6113 of 2022 is disposed of in terms of the above.

It is made clear that the respondents shall act within a reasonable period of time and shall not unnecessarily delay the matter.

(Moushumi Bhattacharya, J.)