

08.03.2022  
Item No.11.  
Court No.1.  
AB/jks

**W.P.A. 9857 of 2018**

**Shyamal Kumar Midya**

**Vs**

**The State of West Bengal & Ors.**

Mr. Kanai Lal Kanji,  
Ms. Shikha P. Chowdhury,  
...for the petitioner.

Mr. Soumitra Bandyopadhyay,  
Mr. Priyabrata Batabyal ....for the State.

The allegation in this petition is in respect of alleged illegal encroachment on the side of Gangadharpur Road.

Submission of Counsel for the petitioner is that though a detailed representation dated December 18, 2017 has been filed before the respondent no.5, Executive Engineer, Diamond Harbour Highway Sub-Division, but no action on the said representation has been taken till now.

Learned Counsel for the State has no objection in consideration of the grievance of the petitioner reflected in the representation filed before the respondent no.5.

Hence, we dispose of the petition directing the respondent no.5 to make an enquiry on the grievance

of the petitioner which is reflected in the representation dated December 18, 2017, after giving an opportunity of hearing to all the concerned parties and ascertain if any encroachment as alleged has been done and take necessary action to remove the encroachment, if found, on the spot. Let this exercise be completed within a period of three months from the date of receipt of certified copy of this order.

WPA 9857 of 2018 is, accordingly, disposed of.

Urgent Photostat Certified copy of this order, if applied for, be supplied expeditiously after complying with all necessary legal formalities.

**(Prakash Shrivastava, C.J.)**

**(Rajarshi Bharadwaj, J.)**