

18,19,
& 20
jdt.

01.12.2022
jb.

W.P.A. 11433 of 2022
(Gobinda Kayal & Ors. vs. State of West Bengal & Ors.)
with
W.P.A. 11420 of 2022
(Bikarna Naskar & Ors. vs. State of West Bengal & Ors.)
with
W.P.A. 11427 of 2022
(Subrata Jagulia & Ors. vs. State of West Bengal & Ors.)

Mr. Arijit Bakshi
Mr. V. Bose
Mr. D. Chattaraj
.... For the Petitioners

Mr. Chandi Charan De
Mr. Anirban Sarkar
.... For the State (WPA 11433 of 2022 &
WPA 11420 of 2022)

In W.P.A. 11427 of 2022 affidavit of service filed on behalf of the petitioners demonstrates service of notice upon the State respondents.

None appears for the State respondents despite service.

Mr. Chandi Charan De who is present in Court and usually appears for the State is requested to represent the State in this matter. His appointment be

regularised by the office of the learned Legal Remembrancer.

The petitioner is directed to serve copy of the writ petition along with annexure thereto to Mr. De in course of this day.

The petitioners claim to be recorded owners of the plot in question and submit that the State respondents, for the purpose of expansion of the road, has erected some poles encroaching upon the land of the petitioners. The petitioners apprehend that their land shall be usurped by the State without taking recourse to law.

Placing reliance on the reports submitted by the Executive Engineer, South 24 Parganas Highway Division, P.W. (Roads) Directorate in connection with WPA 11433 of 2022 and WPA 11420 of 2022, learned counsel for the respondents submits that upon joint inspection of the land it was found that no portion of the land of the petitioners has been encroached upon by the Government for expansion of road. The respondents further undertake not to take up road construction activity beyond the Government land boundary.

In view of the above, nothing further remains to be adjudicated in the writ petition and the same are accordingly disposed of.

However, if acquisition of any portion of the land of the petitioners is found necessary for public purpose, the same may be undertaken by the State respondents in accordance with law.

The writ petitions being W.P.A. 11433 of 2022, W.P.A. 11420 of 2022 and W.P.A. 11427 of 2022 are thus disposed of.

There shall be no order as to costs.

Since no affidavit has been invited, allegations contained in the writ petition shall be deemed not to have been admitted.

Urgent certified website copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

(Suvra Ghosh, J.)