

11.03.2022
rc/ct.no.10
Item No.20

WPA No. 21321 of 2021
Achinta Manna
Vs.
The State of West Bengal & Ors.

Mr. M. Bhattacharjee
Mr. Bibekananda Tripadhy ...for the Petitioner

Mr. Ashim Kumar Ganguly
Mr. Belal Shaikh ...for the State

Affidavit of service filed in Court today is taken on record.

The report filed by the State-respondents is taken on record.

The grievance of the petitioner is that the private respondents have raised illegal construction by encroaching upon the PWD land and have thereby obstructed the ingress and egress of the petitioner. The petitioner submitted a representation before the concerned authority in this regard on November 10, 2021 which is yet to be disposed of.

It appears from the report submitted by the State-respondents that pursuant to the representation submitted by the petitioner, the Assistant Engineer, Contai Highway Sub-Division, P.W.(Roads) issued a letter to the Block Land and Land Reforms Officer, Egra-I, Purba Medinipur on December 30, 2021 requesting the latter to demarcate the plot in question and send the demarcation

report along with sketch map and record of rights to his office.

It is submitted by the learned counsel appearing on behalf of the State-respondents that in case of detection of encroachment on Government land the authority shall take recourse to law as per West Bengal Highways Act, 1964 for removal of the said illegal encroachment.

In view of the above, this Court is of the view that as the process has already been initiated by the State-respondents, the entire process should be taken to its logical conclusion within a period of three months from the date of communication of this order.

The State-respondents should afford reasonable opportunity of hearing to all the affected parties including the petitioner and the private respondents in dealing with the matter, in accordance with law.

With the above observations and directions this writ petition being WPA No. 21321 of 2021 is disposed of.

There shall be, however, no order as to costs.

Since no affidavit is invited, the allegations contained in the petition are deemed not to be admitted.

Urgent certified website copy of this order, if applied for, be furnished to the parties upon compliance of necessary formalities.

(Suvra Ghosh,J)