

**25.09.2023**

**Sl. No.02.**

**Mithun**

**Ct.No.42.**

**WPA 8656 of 2023**

**Biswajit Saha & Anr.**

**Vs.**

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

Mr. Rajdeep Bhattacharya

Mr. D. Mitra

...for the petitioners.

Affidavit of service be taken on record.

The instant writ petition was heard and disposed of on 1<sup>st</sup> August, 2023 directing the respondent No.6, the Executive Engineer, PWD, Nadia Highway Division-II, PW (Roads) Directorate, respondent No.7, the Assistant Engineer, Public Works Department, Nadia Highway Division-II, PW (Roads) Directorate and respondent No.8, the Block Land and Land Reforms Officer, Bongaon, North 24 Parganas to inspect and conduct a survey of the said land and submit a report to the Collector, North 24-Parganas, respondent No.4 within 60 days from the date of communication of the order to initiate eviction proceeding against unauthorized occupiers.

It is submitted by the learned Advocate for the petitioner that the Assistant Engineer, Kalyani Highway Sub-Division under Nadia Highway Sub Division-II, P.W. (Roads) Directorate, respondent No.7 herein informed the Block Land and Land Reforms Officer, Bongaon

respondent No.8 herein that the jurisdiction of the location in question presently falls under Project Director-II, West Bengal Highway Development Corporation Limited, HRBC Bhawan, 4<sup>th</sup> and 5<sup>th</sup> Floor, Munshi Premchand Sarani, Kolkata-700 021. At present the Executive Engineer, Barasat Division, PWD does not have the jurisdiction over the subject land where unauthorized construction was made and this Court passed an order on 1<sup>st</sup> August, 2023 in this writ petition to demolish the said unauthorized and illegal structure.

In view of such circumstances, the petitioner submits that the order dated 1<sup>st</sup> August, 2023 be modified directing respondent No.3 along with other respondents to inspect and conduct survey of the said land and submit a report to the Collector, North 24-Parganas for demolition of unauthorized structure.

Prayer is considered and allowed.

The respondent No.3 is also directed to cause inspection and conduct survey of the said land and submit a report to the District Magistrate/Collector, North 24-parganas, respondent No.4 within 60 days from the date of communication of the order to initiate eviction proceeding against unauthorized occupiers, if any, in accordance with law.

This order be made part of the order dated 1<sup>st</sup>  
August, 2023.

**(Bibek Chaudhuri, J.)**