

Item No.18
20.02.2023
Court. No. 19
GB

WPA 9398 of 2022

Mahasin Ali Khan
Vs
State of West Bengal & Ors.

*Mr. S.E. Huda,
Sk. Aptabuddin*

...for the Petitioner.

*Mr. Bibek Jyoti Basu,
Ms. Juli Sinha*

...for the State.

Affidavit of service is taken on record. Despite service, none appears on behalf of the respondent No.10.

The Block Development Officer, Tamluk-I Development Block has instructed Mr. Bibek Jyoti Basu, learned advocate for the State respondents that the construction of the respondent no.10 had been raised over the land of the P.W.D. beside the existing Tamluk Srirampur road. The construction was in front of the petitioner's house.

The petitioner is granted liberty to approach the Executive Engineer, P.W.D. (Roads), Tamluk-I for removal of such encroachment in accordance with law.

The grievance of the petitioner is that the respondent no.10 obstructed a P.W.D. road by raising a construction. The authority shall give the respondent no.10 adequate opportunity to place his case. The relevant laws and the procedure laid down thereunder, shall be applied by the authority while deciding the issue of encroachment and removal of encroachment. If such approach is made, the

issue shall be decided promptly. The panchayat authorities will intimate the matter to the PWD especially stating whether such construction was permitted or not.

Accordingly, the writ petition is disposed of.

However, there will be no order as to costs.

All the parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)