

Form J(2)

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
Appellate Side**

**Present :
The Hon'ble Justice Bibek Chaudhuri**

WPA 13892 of 2023

**Sachhidananda Maity & Ors.
-Vs.-
State of West Bengal & Ors.**

For the petitioners : Mr. Debasish Das

**For the State respondents : Mr. Soumitra Bandyopadhyay,
Ms. Suchana Banerjee**

Heard & Judgment on : 08.08.2023

Bibek Chaudhuri, J.

The case of the petitioners in brief is that the petitioners are the raiyat in respect of 59 decimal of land out of 2.34 acres of land in Plot No. 12, JL No. 113, Khatian No. 101 of Mouza – Choulda, Purba Medinipore. The petitioners have been possessing the said land by constructing a residential house. The grievance of the petitioners is that there is a State Highway road running from Kudi to Ramnagar. In between the land of the petitioners and the State Highway the private respondents made illegal construction and thereby completely blocked the ingress and egress of the petitioners. The petitioners made a representation before the Executive Engineer, PWD, Tamluk Division and also the Assistant Engineer, Contai Highway Sub-

Division, PWD (Roads), Contai but they did not consider the grievance of the petitioners.

Learned Advocate for the State respondents submits that the instant writ petition may be disposed of directing the Assistant Engineer, respondent no. 6 herein to consider and dispose of the representation by a reasoned order after giving opportunity to both the parties of hearing.

Having heard the learned Counsels for the parties the instant writ petition is disposed of directing the respondent no. 6 to dispose of the representation filed by the petitioners within 60 days from the date of communication of this order after giving opportunities to both the parties of hearing. If necessary, the respondent no. 6 is at liberty to initiate a proceeding under Section 10 of the Highways Act, 1964 and dispose of the representation within the time fixed.

The instant writ petition is, thus, disposed of.

(Bibek Chaudhuri, J.)

Srimanta, A.R.(Ct.)
Item No. 03.