

WPA 14047 of 2023

Amar Nath Saha & ors.
Vs.
The State of West Bengal & ors.

Adv. Rudraksha Chattopadhyay,
...for the petitioners.
Adv. Jayanta Samanata,
Adv. Dip Jyoti Chakraborty,
...for the State.

Written instruction dated 26th July, 2023 submitted
on behalf of the State respondents is taken on record.

None appears for the private respondents.

It is submitted on behalf of the petitioners that the
private respondents have encroached upon PWD land
adjoining their property, thereby obstructing their egress
and ingress.

Learned counsel for the State respondents submits
that pursuant to a representation submitted by the
petitioners in this regard, demarcation of the plot in
question was made by the Block Land & Land Reforms
Officer, Chapra, Nadia and upon detection of encroachment
therein, proceeding under Section 10 of the West Bengal
Highways Act, 1964 has been initiated.

In view of the above, this Court is inclined to hold
that since the concerned authority has initiated a
proceeding under Section 10 of the Act of 1964, the
authority, being the 4th respondent herein, be directed to
take the proceeding to its logical conclusion within two

months from the date of communication of this order upon affording reasonable opportunity of hearing to all concerned including the petitioners and the private respondents, in accordance with law.

With the aforesaid directions, the writ petition, being WPA 14047 of 2023 is disposed of.

There shall however, be 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 on usual undertakings.

(Suvra Ghosh, J.)