

19.10.2023

Srimanta

Sl. No. 05

Ct. No. 42

WPA/24582/2023

Md. Tarik Anwar

-Vs.-

State of West Bengal & Ors.

Mr. Sayantan Hazra

...for the petitioner.

Affidavit-of-service filed in Court today be kept with the record.

LR Plot No. 329 recorded in Khatian No. 1 of Mouza – Dakshin Murhel under Karandighi Police Station in the District of Uttar Dinajpur is recorded as a 'Natanjuli' which means a public drain for passing sewage water. The petitioner's land in LR Plot No. 290 corresponding to RS Plot No. 247 of the same Mouza is stated to be situated just adjacent to the said 'Nayanjuli'. It is the case of the petitioner that some unauthorized encroachers have constructed temporary structures over the said 'Nayanjuli' blocking ingress and egress of the petitioner to his residential house situated at LR Plot No. 290. The petitioner made representations to the District Magistrate, Uttar Dinajpur on 12th September, 2022 as well as other authorities of the State Government but they did not take any action.

Having heard the learned Advocate for the petitioner and on careful perusal of the materials-on-record the instant writ petition is disposed of directing the Executive Engineer, Public Works Department (Roads), Raiganj, Uttar Dinajpur, Assistant Engineer, Raiganj Highway Sub-Division and the District

Magistrate and Collector, Uttar Dinajpur to cause an inspection of the subject land to ascertain as to whether there is any unauthorized construction blocking the said 'Nayanjuli' and obstructing the free ingress and egress of the petitioner. If any such unlawful and unauthorized construction is made on the Government land they should be removed within 60 days from the date of communication of this order.

The instant writ petition is thus disposed of.

(Bibek Chaudhuri, J.)