

16th May, 2023
(D/L No.16)
(SKB)

W.P.A. 27384 of 2022

Anju Bhunia
Versus
State of West Bengal and others

Mr. Varun Kothari,
Ms. Munmun Ganguly
... for the petitioner.

Mr. Nilotpal Chatterjee,
Mr. Amrita Lal Chatterjee
... for the State.

Mr. Sanchayita Das
... for the private respondent no.6.

1. The affidavit of service is taken on record.
2. The petitioner complains of an allegedly unauthorised construction undertaken by the private respondent no.6 on the government land and also the inaction on the part of the Public Works Department (PWD), Paschim Medinipur, West Bengal.
3. The initial ambiguity with regard to whether the land belongs to the P.W.D., West Bengal or the National Highways is substantially resolved by a letter dated 24th January, 2023 issued by the Assistant Engineer, P.W.D., Kharagpur Sub-Division to the Block Land & Land Reforms Officer, Mohanpur Block, Paschim Medinipur on the demarcation of the P.W.D.'s land in the area under dispute in the present writ petition. The letter appears to have taken cognizance of the petitioner's complaint and the concerned B.L. & L.R.O. has,

therefore, been requested to submit a sketch map with encroachment details for further necessary action on the part of the Assistant Engineer, Kharagpur Sub-Division, P.W.D., Paschim Medinipur.

4. W.P.A.27384 of 2022 is accordingly disposed of with a direction on the respondent no.5 being the Assistant Engineer, Kharagpur Sub-Division, P.W.D., West Bengal to dispose of the representation of the petitioner dated 1st September, 2022 in terms of the letter dated 24th January, 2023 and the provisions of The West Bengal Public Land (Eviction of Unauthorised Occupants) Act, 1962 within a period of six weeks from today. The concerned respondent shall hear all the relevant parties before taking necessary action and dispose of the same by passing a reasoned order which shall be made available to the petitioner within a week from the date on which such reasoned order is passed.
5. Needless to say, if the concerned respondent finds any unauthorized construction undertaken by the private respondent no.6 on the P.W.D.'s land, the concerned respondent shall be at liberty of initiating necessary action under The West Bengal Public Land (Eviction of Unauthorised Occupants) Act, 1962.

(Moushumi Bhattacharya, J.)