

26.09.2023

Ct. no.654

Sl. Nos.9

sn

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

WPA 27827 of 2022

**Lalit Kumar Agarwal
Vs.
State of West Bengal & Ors.**

Mr. Goutam Kumar Das

Mr. Atanu Basu

Mr. Indranuj Dutta

..for the petitioner

Mr. Chandi Charan De

Mr. Anirban Sarkar

..for the State

Affidavit-of-service filed by the petitioner is taken on record.

This writ petition is filed under Article 226 of the Constitution of India for removal of encroachment by the private respondent nos. 13&14 from the sides of O.T. (Orissa Trunk) Road, particularly from Kharagpur College More to Pirbaba Inda More.

The brief fact of the case is that in spite of the order passed in WPA 7914 of 2020, the respondent nos. 2 to 10 and 12 have not taken appropriate steps for removal of the encroachment. Hence, this writ petition.

By order dated 29th September, 2021 passed in WPA 7914 of 2020 on similar set of facts pertaining to encroachment, this Hon'ble Court directed the respondent no.10 to issue notice upon all the parties including the respondents as well as the added

respondents and dispose of the matter after giving reasonable opportunity of hearing to all the affected parties including such respondents within a period of three months from the date of communication of this order, in accordance with law.

The petitioner submits that in terms of the aforesaid order, necessary action by the competent authority under Section 10(3) of West Bengal Highways Act has been initiated. He files copy of the order passed under Section 10(3) of West Bengal Highways Act which is taken on record.

In the conspectus of facts and bearing in mind that the competent authority has already taken steps pursuant to order of this Court, the present writ petition is liable to be dismissed. Accordingly, the present writ petition being **WPA 27827 of 2022** stands dismissed. No order as to costs.

All the connected applications, if any, stand disposed of.

Interim order, if any, stands vacated.

Urgent photostat copy of this order, if applied for, be given to the parties upon compliance of necessary legal formalities.

(Bivas Pattanayak, J.)