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

**WPA 6559 of 2023
(Specially Assigned)**

**Saraswati Dutta
-Vs-
The State of West Bengal & Ors.**

Mr. Sarbananda Sanyal
Ms. Poulami Chakraborty
... for the petitioner

Mr. Soumitra Bandyopadhyay
Mr. Subhasis Bandopadhyay
... for the State

Affidavit of service filed on behalf of the petitioner is taken on record.

By the present writ petition, the petitioner has prayed for direction upon the respondent-authorities to take immediate steps in terms of order passed by this Hon'ble Court dated 18th February, 2022 in WPA 15647 of 2021.

This is second round of litigation. Previously, the petitioner filed a writ petition being WPA 15647 of 2021 on the allegation of encroachment upon P.W.D land of the petitioner affecting her ingress and egress. The aforesaid writ petition was disposed of on 18th February, 2022 by following direction:

“Accordingly, this writ petition is disposed of directing the respondent no.4 to take the proceeding initiated under Section 10 of the West Bengal Highways Act, 1964 to its

logical conclusion within three months from the date of communication of this order after giving opportunity of hearing to all the interested parties including the petitioner and the private respondents, in accordance with law.”

Mr. Sarbananda Sanyal, learned Advocate for the petitioner submits that in terms of the direction of this Hon’ble Court passed in the aforesaid writ petition, proceeding has been initiated under Section 10 of the West Bengal Highways Act, 1964. However, the same has yet to be taken to its logical conclusion. He submits for a direction upon the respondent no.4 to dispose of such proceeding within a stipulated period.

Mr. Soumitra Bandopadhyay, learned Advocate for the State-respondent also submits that a direction be passed upon the respondent no.4, Assistant Engineer (PWD), Krishnanagar Sub-Division, Nadia, for concluding the proceeding under the West Bengal Highways Act, 1964 within a stipulated period.

Having heard the learned Advocates for the respective parties, the respondent no.4, Assistant Engineer (PWD), Krishnanagar Sub-Division, Nadia, is directed to conclude the proceeding under Section 10 of the West Bengal Highways Act, 1964 within a period of two months from the date of communication of this order after giving an opportunity of hearing to all the interested parties including the petitioner and the private respondents, in accordance with law.

The final order passed by the respondent no.4, Assistant Engineer (PWD), Krishnanagar Sub-Division, Nadia, in the said proceeding is to be communicated to the petitioner within a period of one week from the date of passing of such order.

Petitioner is directed to communicate this order to the respondent no.4, Assistant Engineer (PWD), Krishnanagar Sub-Division, Nadia.

With the aforesaid observation, the writ petition being **W.P.A.6559 of 2023** stands disposed of.

All connected applications, if any, stand dismissed.

Interim order, if any, stands vacated.

There shall be no order as to costs.

Urgent photostat certified copy of the order, if applied for, be given to the parties on compliance of all necessary legal formalities.

(**Bivas Pattanayak, J.**)