

20.06.2024
Sl. No.50
akd

W. P. A. 11225 of 2024

[Sanjib Kumar Naskar -Vs- The State of West Bengal & Ors.]

Mr. Lakshminath Bhattacharya
... .. for the petitioner

Mr. Sirsanya Bandyopadhyay
Mrs. Tapati Samanta
Mr. Arindam Ghosh
... .. for the State

1. It is the case of the petitioner that he is the absolute owner and occupier of the landed property lying under Mouza – Achana, Dag No.- 1606 under the Mandir Bazar Police Station, District – 24 Parganas by the virtue of a registered deed of sale No. 4772 dated 28.08.1996. The petitioner has been possessing the said landed property without any interruption since long. The petitioner further states that the front portion of the landed property lying under Dag No. – 1606 of Mouza – Achana was acquired by the Public Works Department for construction.
2. The present writ petition has been filed alleging illegal encroachment by the private respondents Nos. 13 to 15 over the PWD road at Achana More i.e. Lakshmikantapur to Mandir Bazar Road as well as in front of his landed property Dag No. – 1606 of Mouza – Achana, Police Station – Mandir Bazar, District – 24 Parganas.
3. Learned Advocate for the petitioner further states that the private respondent Nos. 13 to 15 are making attempt to erect illegal construction of toilet for their personal use without

obtaining any permission from the any of the statutory authorities in front of the petitioner landed property and over the PWD Road at Achana More and they are illegally trying to grab PWD land. Such illegal construction is creating complete blockage of the egress and ingress of the petitioner to his landed property above-mentioned. He further states that his client has made a representation dated 26.03.2024 to the Executive Engineer, Diamond Harbour Sub-Division, Dist. South 24-Parganas. He also states that his client will be satisfied if his representation dated 26.03.2024 is decided by the respondent no.6.

4. Learned Advocate for the respondent no.6 makes a concession and states that the above-mentioned representation dated 26.03.2024 shall be decided by the Executive Engineer.
5. In terms of the above statement I direct the respondent No. 6 to consider the representation of the petitioner dated 26.03.2024 by way of a speaking order after affording an opportunity of personal hearing of the petitioner as well as private respondents within six weeks from the date of communication of the order.
6. With the aforesaid directions, the writ petition is disposed of.
7. Urgent Photostat certified copy of this order, if applied for, be given to the parties on usual undertaking.

(Gaurang Kanth, J.)