

Sl. No.05
19.09.2024
Suman
Ct. 15

WPA 22346 of 2024

Sisir Dam and Anr.
Vs.
The State of West Bengal and Ors.

Mr. Joyjeev Medhi
..for the petitioners

Mr. Pinaki Bhattacharya
Ms. Sucheta Banerjee

Let the affidavit of service filed by the petitioners be kept with the records.

The petitioners allege that respondent nos. 7 to 9 upon encroaching a road owned by the P.W.D. have raised unauthorised constructions without any permission from the Municipality.

The petitioners submit that such unauthorised constructions have affected their egress from and ingress to their residential house.

Learned advocate appearing for the petitioners has made over a copy of the order dated September 6, 2024, issued by the Assistant Engineer, Balurghat Highway Sub-Division, P.W. (Roads) Directorate addressed to the Sub-Divisional Land and Land Reforms Officer, Balurghat Subv-Division requesting him to supply the relevant map and other details and to carry out a demarcation work in order to take necessary action

against the alleged encroachers under West Bengal Highway Act, 1964.

Since the P.W.(Roads), Directorate has already initiated action, I am not inclined to keep this writ petition pending.

Accordingly, this writ petition is disposed of directing the Executive Engineer, Dakshin Dinajpur Highway Division P.W.(Roads) and the Sub-Divisional Officer, Balurghat Sub-Division to take necessary steps in accordance with law preferably within a period of three months from the date of communication of this order upon affording an opportunity of hearing to respondent nos. 7 to 9 in accordance with law.

Accordingly, **WPA 22346 of 2024** is disposed of.

Urgent photostat certified copy of this order, if applied for, be supplied to the learned advocates for the parties on usual undertakings.

(Kausik Chanda, J.)