

D/L 14
11.11.2024
Court No.14
PRADIP

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

WPA 23332 of 2024

Purnendu Agarwala
Vs.
The State of West Bengal & Ors.

Mr. Sourav Kumar Dutta
Mr. Subham Dutta

...for the Petitioner.

Ms. Jayeeta Sinha
Mr. Ranjit Rajak

...for the State.

1. The petitioner complains of illegal encroachment of public land at the instance of the private respondents. Prayer has been made to direct the respondent authorities to take steps to remove the private respondents as they are occupying the land and blocking the ingress and egress of the petitioner.
2. None appears on behalf of the private respondents despite service. Affidavit of service filed in Court today is taken on record.
3. Learned advocate representing the State respondents produces the record of rights of the petitioner to suggest that portion of the subject plot numbers are recorded in the name of the petitioner.
4. From the report forwarded by the Officer-in-Charge, Pingla Police Station, it appears that a notice was served upon the private respondent no. 7 to produce documents in support of the disputed land, but the said respondent failed to produce any document in his support.
5. It appears from the submission made on behalf of the parties that the matter relates to encroachment of public land. The prayer of the petitioner seeking clearing his ingress and egress by removing the unauthorized construction made at the behest

of the private respondents is still pending disposal. The State respondents ought to ensure that the public land is not occupied or encroached upon by private parties.

6. The Executive Engineer of the Midnapore Highway Division, Public Works (Roads) Directorate is directed to take steps for removal of the unauthorized occupants and to demolish any unauthorized structure constructed over public land, in accordance with law.
7. Steps shall be taken upon affording an opportunity of hearing to the private respondents at the earliest but positively within a period of twelve weeks from the date of communication of this order.
8. The Officer-in-Charge, Pingla Police Station is directed to render all necessary assistance to the men and agents of PWD at the time of executing the order passed by the authority.
9. The writ petition stands disposed of.
10. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Amrita Sinha, J.)