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26.11.2024  
Court No.14  
A.G.M.

IN THE HIGH COURT AT CALCUTTA  
CONSTITUTIONAL WRIT JURISDICTION

WPA 24794 of 2024

Milan Mondal  
Vs.  
The State of West Bengal & Ors.

*Mr. Anirban Dutta.*

*...for the Petitioner.*

*Ms. Sk. Kiran.*

*...for the respondent no. 9.*

*Mr. Ansar Mondal. AGP*  
*Mr. Tanweer J. Mondal.*

*...for the State.*

1. The petitioner is in possession of a piece of Government land. He claims to have been running a small business from the said plot of land. The petitioner's shop was found to be blocking the ingress and egress of the private respondent.
2. The private respondent filed a writ petition being WPA 643 of 2024 which stood disposed of on 16<sup>th</sup> May, 2024 by directing the respondent authority to give opportunity of hearing to all the parties and to consider his prayer for removal of the obstruction in his ingress and egress.
3. In compliance of the said order, the Executive Engineer, Murshidabad Highway Division No. -1 heard the parties and passed order on 18<sup>th</sup> September, 2024. The encroachers have been directed to vacate the property by 25<sup>th</sup> September, 2024. The Assistant Engineer, Islampore Highway Sub-Division was requested to serve notice on all the encroachers if the Government land is not vacated within the specified time by invoking Section 10(1) of the West Bengal Highway Act, 1964.
4. The petitioner submits that as the shop room is his only source of earning, the authority may consider his prayer for

providing him an alternate space so that he can run his business for earning his livelihood.

5. It will be open for the petitioner to approach the authority with his prayer.
6. Affidavit-of-service filed today in Court be kept with the records.
7. The writ petition stands disposed of.
8. Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

**(Amrita Sinha, J.)**