

Sl.26
19.11.2025
Court No.19
BP

WPA 5003 of 2024

Pranab Kumar Mandal
-versus-
The State of West Bengal & Ors.

Mr. Sukanta Das
..for the petitioner

Mr. Pritam Choudhury
Mr. Debasish Kar
..for the State

Affidavit of service filed in Court today is taken on record.

The learned advocate appearing for the petitioner submits that during the pendency of the writ petition the 9th respondent namely, Rupai Singh died leaving behind him surviving the respondent nos. 10 and 11 as his only heirs and legal representative.

In the light of the said submission, there is no necessity for filing any application for substitution. It is recorded that the respondent no.9 has passed away in the meantime.

The petitioner claims to be the recorded owner of plot no. 167 within Mouza Debra under Police Station Debra in the District of Paschim Medinipur. The petitioner states that the private respondents have made an illegal construction on the PWD road thereby obstructing the ingress and egress of the petitioner from his property to the PWD road. The petitioner submitted a representation

dated 19th January, 2024 before the Assistant Engineer, Keleghai Bridge High Way Sub-division, Public Works Department being the 7th respondent.

The learned advocate appearing for the petitioner submits that in spite of receipt of such representation no steps have been taken by the respondent authorities for removal of the encroachment on the PWD roads.

The learned advocate appearing for the State submits that necessary steps shall be taken within the time limit that may be fixed by this Court.

Since an allegation of encroachment of PWD roads have been made, it is the duty of the concerned respondent authority to take steps in accordance with law for removal of encroachment, if any.

Without entering into the merits of the claim made in the said representation, WPA 5003 of 2024 stands disposed of by directing the Assistant Engineer, Keleghai Bridge High Way Sub-division, Public Works Department being the 7th respondent to consider and dispose of the representation of the petitioner dated 19th January, 2024 by passing a reasoned order after giving an opportunity of hearing to the petitioner, the private respondent or any other persons who may be affected by such decision and communicate the reasoned order to the respective parties immediately thereafter. The entire exercise shall be completed as expeditiously as possible but positively within a period of six weeks from the date of receipt of a

server copy of this order along the copy of the representation dated 19th January, 2024. In the event it is found that there is an encroachment upon the PWD road steps in accordance with law shall be taken by the said respondent.

Since no affidavits have been called for, the allegations contained in the writ petition shall not be deemed to have been admitted.

The report of the Officer-in-Charge, Debra Police Station, Paschim Medinipur filed by the State is taken on record.

There shall be, however, no order as to costs.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Hiranmay Bhattacharyya, J.)