

10.03.2025
Ct. No. 2
Sl. No. 33
tbsr

WPA 4890 of 2025

Prasun Kumar Dey
Vs.
The State of West Bengal & Ors.

Mr. Uday Narayan Betal
Mr. Yashraj Roy
....for the petitioner

Mr. Chandi Charan De
Ms. Reshma Chatterjee
....for the State respondents

Affidavit of service, filed in court today, is taken on record.

Mr. Uday Narayan Betal, learned counsel appears for the petitioner.

Mr. Chandi Charan De, learned Additional Government Pleader appears for the State.

None appears for the private respondent nos. 6 to 8.

The petitioner alleged unauthorized construction on the PWD land at the behest of the private respondents.

Pursuant to the order passed by the Co-ordinate Bench in the previous writ petition WPA 1910 of 2023 proceeding has already been initiated under **Section 10 of the West Bengal Highways Act, 1964.** The connected notice dated **October 4, 2023 is Annexure P-**

3 at page 62 to the writ petition. Since then no step has been taken.

In view of the above, the appropriate jurisdictional authorities shall proceed and conclude the **Section 10** proceedings positively within a period of **eight weeks** from the date of communicate of this order. At the stage wherever it is required prior notice shall be served upon the private respondents and opportunity of hearing shall be granted to them and then the reasoned order shall be passed at that stage.

In the event, police assistance is required by the State authority at the relevant stage, the jurisdictional police station shall provide all necessary assistance.

It is made clear that this Court has not gone into the merit of the claim of the writ petition.

Since affidavits are not called for, the allegations made in this writ petition are deemed not to have been admitted by the respondents.

With the above observations and directions, this writ petition, **WPA 4890 of 2025** stands disposed of, without any order as to costs.

Photostat certified copy of this order, if applied for, be furnished expeditiously.

(Aniruddha Roy, J.)