

10.04.2025
Item No.18
PG/Aritra
Ct. No.1

W.P.A. (P) 97 of 2025
Sri Sukumar Das
Versus
The State of West Bengal & Ors.

Mr. Ratul Das
Mr. Akash Dutta
Mr. Anjan Ganjan.....For the Petitioner

Mr. Sk. Md. Galib, Ld. Sr. Govt. Advocate
Ms. Priyamvada Singh.....For the State

Mr. Ashim Kr. Routh
Mr. Ananya Mondal
Mr. Subhayan Barik.....For the respondents 12 to 15,
17 to 19, 26, 27, 30 to 34

1. The petitioner has filed this writ petition as a public interest litigation alleging that the illegal encroachment on a Government land including a water body has not been removed despite the order passed by the Division Bench in W.P.A. (P) 457 of 2023 dated September 4, 2023.
2. This allegation appears to be incorrect as per the report submitted by the Assistant Engineer (PWD), Contai Sub-Division dated March 19, 2025.
3. From the annexure to the said report, it is seen that already action has been taken under section 10(1) of the West Bengal Highways Act and notice has been issued and the encroachers have been granted 15 days' time to remove the unauthorised constructions.
4. Since action has already been initiated under law, no further directions are necessary in this writ petition.
5. The learned advocate appearing for the private respondents alleged that the petitioner has encroached a Government land and constructed a shopping complex.

6. If such is the allegation, it will be well open to the private respondents to approach the authorities by way of a representation, which shall be considered.
7. With the aforesaid directions, the writ petition is disposed of.
8. No costs.
9. The order passed by the Sub-Divisional Officer dated March 25, 2025 is kept on record.
10. Urgent photostat certified copy of this order, if applied for, be furnished to the parties expeditiously upon compliance of all legal formalities.

(T.S SIVAGNANAM)
CHIEF JUSTICE

(CHAITALI CHATTERJEE (DAS), J.)