

17.04.2025
Item No.22
gd/ssd

WPA(P)/120/2025
SNEHASIS GIRI
VS
STATE OF WEST BENGAL AND ORS.

Mr. Partha Sarathi Mondal,
Mr. Kingsuk Mondal
..for the Petitioner.

Mr. Jahar Lal De
..for the State.

1. The petitioner alleges that lands abating on National Highways which has been classified as Nayanjuli between Namkhana to Bokkhali has been encroached and constructions have been put up and no action has been taken to remove the encroachment. The petitioner alleges that the private respondent nos. 14 to 23 are the encroachers.

2. Notice has been served on the private respondents and affidavit of service has been filed but none appears for the private respondents. Notice has also been served on the authorities of the National Highways Department. However, none appears for the National Highways.

3. The representation given by the petitioner to the Block Development Officer has been forwarded to the Assistant Engineer, Kakdwip National Highway Sub-Division, the 6th respondent by memo dated 6.5.2024 enclosing the copy of the complaint lodged by

the petitioner requesting to enquire into the matter and do the needful.

4. It appears that the 6th respondent is yet to take action on the representation.

5. Since the writ petition is disposed of without calling for affidavits, the allegations made in the writ petition or in the representation are not gone into and a direction is issued to the 6th respondent to conduct an inspection of the area and if any encroachment is found, then action should be initiated in accordance with law only after issuing notice to the alleged encroachers and after following due process as provided under the relevant statute. The inspection be conducted within three weeks from the date of receipt of the server copy of this order and thereafter further action shall be taken in accordance with law.

6. The petitioner is directed to appear in the office of the 6th respondent in person and submit a copy of this order along with the copy of the representation and the memo of the Block Development Officer dated 6.5.2024 for compliance of the above direction.

7. With the above observations, the matter is disposed of.

(T. S. SIVAGNANAM)
CHIEF JUSTICE

(CHAITALI CHATTERJEE (DAS), J.)