

24.04.2025
Item No.20
gd/ssd

WPA(P)/147/2025
PINTU HAZRA AND ORS.
VS
THE STATE OF WEST BENGAL AND ORS.

Mr.Tanmay Mukherjee,
Ms. Ajeyaa Chowdhury,
Mr. A.K. Hazra,
Mr. A. Samanta,
Ms. S. Chatterjee
..for the Petitioners.

Mr. Jahar Lal De,
Mr. Sourav Chowdhury
..for the State.

1. The petitioners have filed this writ petition as a public interest litigation directing the respondents to restore possession/enjoyment of the petitioners in the State land and complete the measurement and construction of the road with standard quality of materials to fulfill the object and purpose of Pathashree Project and Prime Minister's Rural Road Scheme in a transparent manner by driving out the private respondent nos.21 to 29 and others who have encroached the government land.

2. In this regard, several representations have been submitted alleging that there is no response, the writ petition has been filed.

3. The Executive Engineer WBSRDA Howrah Division-II has submitted written instructions through

the learned Government counsel along with the enclosures.

4. From the said written instruction it is seen that the first writ petitioner/Pintu Hazra was present before the office of the Block Development Officer, Shyampur-I Block on 26.11.2024 with the formal letter has been addressed to his advocate/Animesh Samanta on 20.2.2025 and the copy of the said letter has been enclosed with the written instruction.

5. Therefore, if the first petitioner or the other petitioners are dissatisfied with the information which has been informed to the petitioners' advocate/Mr. Samanta, then they have to take up the matter with the higher authorities since in the communication dated 20.2.2025 the Executive Engineer clearly set out as to what is the nature of the work which has been done and also regarding the durability and performance.

6. Therefore, if the petitioners are aggrieved, they should approach the higher authorities and not by way of a writ petition to seek for a direction by this court to "drive away" the private respondent nos.21 to 29. If at all there is any encroachment on the government land, obviously the authority should look into the matter.

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

8. Supplementary affidavit filed by the learned advocate for the petitioners is taken on record.

(T. S. SIVAGNANAM)
CHIEF JUSTICE

(CHAITALI CHATTERJEE (DAS), J.)