

S/L 10
05.08.2025
Court. No. 19
Sourav

WPA 9295 of 2025

**Tapan Bhattacharya
Vs.
The State of West Bengal & Ors.**

*Mr. M. P. Gupta
Ms. Moumita Dhar*

...for the petitioner.

*Mr. Chandi Charan De, Ld. AGP
Ms. Reshma Chatterjee*

...for the State.

1. The affidavit-of-service as filed today on behalf of the writ petitioner is taken on record.
2. None appears on behalf of the private respondents, despite service.
3. At the time of hearing, learned advocate for the writ petitioner has submitted a copy of memo dated 26.05.2025 as issued by the jurisdictional BL & LRO, Contai-I, addressed to the respondent no. 4/authority enclosing herewith a demarcation report dated 20.06.2025 wherefrom it reveals that the writ petitioner himself is an encroacher.
4. In view of such, this Court while disposing the instant writ petition directs the respondent no. 4/authority to initiate a proceeding under Section 10 of the West Bengal Highways Act, 1964 against the writ petitioner as well as any other encroachers of the P.W.D. land, if there be any forthwith in terms of the said demarcation report dated 20.06.2025 and to arrive at a logical conclusion of the same within 30 working days from the date of communication of the server copy of this order.

5. The time limit as fixed by this Court is mandatory and peremptory.
6. Mr. De, learned AGP is hereby requested to communicate the server copy of this order to the respondent no. 4/authority for his immediate compliance.
7. Before parting with, it is, however, made it clear that initiating the said proceeding under Section 10 of the West Bengal Highways Act, 1964, the respondent no. 4/authority shall give prior notice to the writ petitioner as well as to the other encroachers, if therebe any, and also permit them to submit their written submission against the proposed action of the respondent no. 4/authority.
8. With the aforementioned observations, the instant writ petition being **WPA 9295 of 2025** is disposed of.
9. Urgent photostat certified copies of this order, if applied for, be supplied to the parties upon compliance with all the necessary formalities.

(Partha Sarathi Sen, J.)