

16.01.2025

Item No.44

Crt.No.02

b.r.

WPA 19099 of 2024

Mamoni Panda

-vs-

The State of West Bengal & Ors.

Mr. Shamim Ahamed

Mr. Arka Maiti

Ms. Gulsanwara Pervin

Mr. Enamul Islam

..... for the petitioner.

Ms. Mousumi Biswas

... for the State-respondent nos. 1 to 5.

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

Mr. Arka Maiti, learned advocate appears for the petitioner.

Ms. Mousumi Biswas, learned advocate appears for the State-respondent nos. 1 to 5.

Learned counsel for the petitioner referring to the order dated **March 6, 2024** passed by the Jurisdictional Sub-Divisional Officer submits that despite there being a clear finding of encroachment on PWD land and direction being there upon the respondent no.3 to recover possession and remove the encroachment and deliver possession of land to

the Highway Authority, no steps has been taken by the respondent no.3.

Learned State advocate has filed a report dated **August 6, 2024** issued under the seal and signature of the Inspector-in-Charge, Egra Police Station, wherefrom it appears that the local police authority is prepared to provide necessary assistance to remove the illegal encroachment from the subject land. The report is taken on record.

In view of the above, the **respondent no.3** is peremptorily directed to execute and implement the said order dated **March 6, 2024** passed by the jurisdictional **Sub-Divisional Officer, annexure p-6 at page-15** to the writ petition positively within a period of **two weeks** in accordance with law from the date of communication of this order.

Learned counsel for the petitioner on instruction submits that no copy of the appeal from the said order dated **March 6, 2024** has been served upon the petitioner. In the event, no appeal is filed till today, the said order dated **March 6, 2024** shall be implemented forthwith as directed above.

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 19099 of 2024** stands **disposed of**, without any order as to costs.

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

(Aniruddha Roy, J.)