

Court No. 19

(265719)

14.11.2025

(AD 24)

(S. Banerjee)

WPA 20301 of 2025

Alamgir Sk. & Anr.

Vs.

The State of West Bengal & Ors.

Md. Yusuf Ali

...for the petitioners

Mr. Tapan Kumar Mukherjee, Sr. Advocate

Ms. Tuli Sinha

...for the State

Ms. Manali Biswas

Mr. Pritam Banerjee

Mr. Mrinal Saha

...for the respondent nos. 7 and 8

The petitioners claim to be the owners of several plots of land within Mouza – Beldanga, in the district of Murshidabad.

Petitioners allege that the private respondents have raised an illegal construction on the PWD land adjacent to the property of the petitioners thereby obstructing the ingress and egress of the petitioners from their property to the PWD road. Petitioners submitted a representation dated July 23, 2025 before the Assistant Engineer, Public Works (Roads) Directorate.

Learned advocate appearing for the petitioners submits that in spite of receipt of such representation

the respondent authorities have not taken any step pursuant thereto.

State and the private respondents are represented by their learned advocates.

Learned advocate appearing for the private respondents submits that the private respondents have not made any illegal construction encroaching upon the PWD road. He further submits that the private respondents have not created any obstruction to the ingress and egress of the petitioners from their property to the PWD road.

Learned advocate-on-record of the petitioner is directed to serve a copy of the writ petition upon the junior government advocate by November 17, 2025.

Since a representation has been submitted alleging illegal encroachment of PWD road, the respondent authorities are duty bound to take steps in accordance with law.

In view thereof, this writ petition stands disposed of by directing the Assistant Engineer, Public Works (Roads) Directorate, being the 4th respondent, to consider the representation of the petitioners, make necessary enquiries and to take necessary steps in terms of Section 10 of the West

Bengal Highways Act, 1964. The entire exercise shall be completed as expeditiously as possible, but positively within a period of six weeks from the date of receipt of a server copy of this order along with a copy of the representation dated July 23, 2025.

It is, however, made clear that this court has not gone into the merits of the claims and counter-claims of the respective parties and the respondent no. 4 shall be free to decide the same in accordance with law.

(Hiranmay Bhattacharyya, J.)