

05.05.2025
65
Ct.No.7
sdas

WPA 22707 of 2022

Sadhan Mondal @ Sadhan Chandra Mondal & Anr.
Vs.
The State of West Bengal & Ors.

Mr. Subrata Ghosh
.....for the petitioners

Ms. Rupsha Chakraborty
Ms. Susnita Saha
..... for the State

Affidavit-of-service filed in Court be taken on
record.

Report as produced on behalf of the State is also
taken on record.

The present writ petition was initially filed seeking a direction upon the concerned Executive Engineer to consider the petitioners' representation, wherein the petitioners alleged that the private respondents had constructed certain permanent structures encroaching upon land belonging to the Public Works Department (Roads) (hereinafter referred to as 'PWD'). During the pendency of this writ petition, the concerned Executive Engineer conducted an enquiry and found that approximately 18 persons, including the petitioners and the private respondents, had encroached upon PWD land and had constructed

various structures thereon. Consequently, the Executive Engineer issued notices under Section 10(1) of the West Bengal Highways Act, 1964 (hereinafter referred to as 'the Act of 1964'), directing the persons named in the notices to remove their respective structures.

However, neither of the parties has apprised me as to whether the instructions contained in the notice have been complied with by the persons named therein.

Needless to state that if the instructions contained in the notice are not complied with by the persons named therein, the concerned Executive Engineer shall be at liberty to take appropriate steps under Section 10(3) of the Act of 1964.

With this observation and order, the writ petition is, thus, disposed of.

There shall be no order as to costs.

(Partha Sarathi Chatterjee, J.)