

D/L- 5
25/11/2025
Ct. No.-19
Aritra

WPA 24848 of 2025

**Asiruddin Sk.
Vs.
State of West Bengal & Ors.**

Mr. Md. Yusuf Ali

....for the petitioner

Mr. Lalit Mohan Mahat, AGP
Mr. Prasanto Behari Mahata

....for the State

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

The learned advocate appearing for the petitioner submits that the respondents have been duly served.

In spite of service none appears for the State and the private respondents.

Mr. Mahata, learned Additional Government Pleader, who usually represents the State is present in Court today and he is requested to appear in this matter.

Let the appointment of Mr. Mahata along with a junior of his choice be regularised by the concerned authority.

The learned advocate for the petitioner is directed to serve a copy of this writ petition upon the junior of Mr. Mahata in course of this day.

The petitioner claims to be the recorded owner in respect of the Plot No.526 under Khatian No.171 within

Mouza-Mridaypur under Police Station-Raninagar in the District of Murshidabad.

The petitioner states that the Akhriganaj-Katlamari PWD road runs on the adjacent northern side of the property of the petitioner. The petitioner alleges that the private respondents have raised illegal and unauthorised construction on the said PWD road thereby obstructing the ingress and egress of the petitioner from his property to the PWD road. The petitioner submitted a representation dated September 3, 2025 before the Assistant Engineer, Public Works (Roads), Directorate, Islampur Sub-Division being the respondent No.4.

The learned advocate appearing for the petitioner submits that in spite of receipt of the said representation, the respondent authorities have not taken any steps.

Mr. Mahata, learned Additional Government Pleader submits that the authority shall take steps in accordance with law within the time limit that may be fixed by this Court.

Since an allegation of encroachment on the PWD road has been made it is the duty of the concerned authority to take steps in accordance with law.

In the light of the submissions made by the learned advocates for the respective parties, WPA 24848 of 2025 stands disposed of by directing the Assistant Engineer, Public Works (Roads), Directorate, Islampur Sub-Division being the respondent No.4 to consider the representation

of the petitioner dated September 3, 2025 and if any encroachment is found steps in accordance with the provisions of Section 10 of the West Bengal Highways Act, 1964 shall be initiated and the entire exercise shall be completed as expeditiously as possible but positively within a period of 6 weeks from the date of receipt of server copy of this order along with the copy of the representation dated September 3, 2025.

There will be no order as to costs.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Hiranmay Bhattacharyya, J.)