

Sl. 8
05.12.2025
Court No.19
BP

WPA 27187 of 2025

Nanigopal Giri & Anr.
-versus-
The State of West Bengal & Ors.

Mr. Sk. Sahajahan
..for the petitioners

Mr. Sushanta Mukherjee
Mr. Hemanta Kumar Das
..for the State

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

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

In spite of service none appears for the private respondent.

The petitioners claim to be the recorded owner of L.R. Dag No. 1002, J.L. No. 382 within Mouza Jamua under Police Station Mohanpur in the District of Paschim Medinipur. The petitioners state that there is a PWD road just adjacent to the aforesaid property of the petitioners. The petitioners allege that the private respondents have raised an illegal construction on the PWD road thereby obstructing the ingress and egress of the petitioners from their property to the PWD road. The petitioners submitted a representation before the Assistant Engineer, Kharagpur High Way Sub-Division, Public Works

Department dated 11th November, 2025 praying for removal of encroachment upon the PWD road.

The learned advocate appearing for the petitioners submits that in spite of receipt of such representation no steps have been taken by the respondent authorities till date.

Heard learned advocate for the State.

From the record it appears that the representation was sent through registered post only on 11th November, 2025 and the writ petition was filed immediately thereafter on 21st November, 2025. Since a representation has been submitted alleging encroachment upon the PWD road, it is the duty of the respondent authorities to take steps in accordance with law.

In view thereof, WPA 27187 of 2025 stands disposed of by directing the Assistant Engineer, Kharagpur High Way Sub-Division, Public Works Department, Government of West Bengal being the 5th respondent to consider the representation of the petitioners dated 11th November, 2025 and upon making necessary enquiry, inspection/demarcation, if it is found that there has been any encroachment upon the PWD road, steps in accordance with the provisions under Section 10 of the West Bengal Highways Act, 1964 shall be taken and the entire exercise shall be completed as expeditiously as possible but positively within a period of

eight weeks from the date of receipt of a server copy of this order.

There shall be, however, no order as to costs.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Hiranmay Bhattacharyya, J.)