

64 **26.03.**
2025
Ct. No. 28

Ab

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 27590 of 2024

Mir Rubain Shahin and another
Vs.
The State of West Bengal and others.

Mr. Ritwik Pattanayak.
... for the writ petitioners.
Mr. Rajendra Chaturvedi,
Ms. Kalpita Paul.
... for the State.

The affidavit of service filed in Court today is taken on record.

None appears on behalf of the respondent nos. 9 to 11 despite service. The State respondents are represented.

The grievance of the writ petitioners in the instant writ petition is that the respondent/Highway Authorities have been lax in taking appropriate action for removal of illegal and unauthorized constructions raised by the respondent nos. 9 to 11 over the vacant land/ROW of the Kaliachak – Niyamatpur MDR (Major District Road) under Malda Highway Division.

Learned Advocate for the writ petitioners invites the attention of this Court to a letter bearing no. 2L-58/2024/133-R/LA (955246) dated May 17, 2024 issued by the Deputy Secretary to the Government of West Bengal to the Superintending Engineer, Northern Highway Circle, P.W. (Roads) and the letter being Memo No. 236 dated June 3, 2024 issued by the Assistant Engineer, Malda Highway Sub-Division to the Block Land and Land Reforms Officer, Mothaberia (page 51 & 52) and submits that the authorities concerned are yet to conclude the proceedings in respect of the

petitioners' complaint regarding illegal and unauthorized constructions on the said road.

Having heard the learned Advocates for the respective parties and upon perusing the material on record, this Court finds that the justice would be subserved if the respondent nos. 5 and 6 are directed to take the proceedings initiated on the basis of the petitioners' complaint to its logical conclusion as expeditiously as possible preferably within a period of eight weeks from the date of communication of this order.

Needless to mention that while concluding the proceedings, the authorities would grant an appropriate opportunity of hearing to all the concerned.

The writ petition is, thus, disposed of.

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

(Om Narayan Rai, J.)