

8th August, 2025

Item no. DL 32
Court No. 08

Asraf, A.R.(Ct.)

In the High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side

Case No. **WPA(P) 635 of 2023**

In the matter of :
BISWAJIT PAL & ANR.
VS.
.... Petitioners

THE STATE OF WEST BENGAL & ORS.
....Respondents

For the Petitioners :
Mr. Manas Kumar Das
Mr. L. N. Bhattacharya
....Advocates

For the Respondents / State :
Mr. Amitabrata Roy, GP
Mr. Nilotpal Chatterjee, JGA
Mr. Suddhadev Adak
....Advocates

1. Affidavit of service filed in Court is taken on record.
2. The petitioner has prayed for a direction for removal of illegal encroachment made by private respondent over the National Highway Road at Ukilerhat NH-12 over the R.S. Dag No.144, J.L. No.43, Sali land, under Rajnagar Srinathgram Mouza, Police Station - Kakdeep in South 24 Paraganas.
3. On a specific query from the Bench, learned counsel for the petitioner could not show a prima facie material to establish that there exists any encroachment on the National Highway.

4. In other words, petitioner has not filed any revenue record or information obtains under the RTI that there exists an encroachment in the National Highway.
5. In absence thereof, no interference is warranted. The writ petition / PIL is dismissed. However, liberty is reserved to the petitioner to file a properly constituted petition.

(Sujoy Paul, J.)

(Smita Das De, J.)