

Form No.J(2)
Serial No.47
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**CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE**

**Present :
The Hon'ble Justice Aniruddha Roy**

WPA 1779 OF 2025

Nipa Bhattacharya @ Nipa Ghose

Vs.

The State of West Bengal & Ors.

For the Petitioner : Mr. Deborshi Dhar, Adv.
Ms. Taniya Bhowmik, Adv.

For the Respondents/
State : Mr. Nabankur Paul, Adv.
Ms. Rima Sarkar, Adv.

Heard on : September 3, 2025

Judgment on : September 3, 2025

Aniruddha Roy, J. :

1. Affidavit-of-service, filed in Court today, is taken on record.
2. Mr. Deborshi Dhar, learned Advocate appears for the petitioner.
3. Ms. Rima Sarkar, learned Advocate led by Mr. Nabankur Paul, learned Advocate appears for the respondents State.
4. This is a second round of writ litigation on the selfsame set of facts.

5. In the first round of writ petition, **WPA 849 of 2025**, a coordinate Bench by its order dated **April 22, 2025, Annexure-P5 at page 63** to the writ petition has disposed of the writ petition directing the jurisdictional Executive Engineer, PWD to take steps in accordance with law as mentioned therein.
6. Mr. Dhar, learned Advocate appearing for the petitioner draws attention of this Court to a communication dated **May 22, 2025, Annexure-P6 at page 65** to the writ petition and submits that the concerned Executive Engineer, PWD informed that, he had no jurisdiction on the subject-matter being the **alleged encroachment of PWD land**.
7. In view of the above, the respondent no.6/the appropriate jurisdictional authority is directed to carry out the direction of the coordinate Bench dated **April 22, 2025** in its true spirit and effect. The **time period** mentioned in the said order dated **April 22, 2025 shall reckon** from the **date of communication** of this order to the respondent no.6/appropriate jurisdictional authority.
8. It is made clear that, this Court has not gone into the merits of the writ petition.
9. Save as above, no part of the said order dated **April 22, 2025** has been modified and the order remains unaltered.
10. Since affidavits are not called for, the allegations made in this writ petition, are deemed not to have admitted by the respondents.

11. With the above observations and directions this writ petition, **WPA 1779**

of 2025 stands ***disposed of***, without any order as to costs.

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

(Aniruddha Roy, J.)