

Court No. 19
(265719)

21.01.2026
(AD 12)
(S. Banerjee)

WPA 1010 of 2026

Pradip Kumar Samanta
Vs.
The State of West Bengal & Ors.

Mr. Subhas Jana
Mr. Indranil Roy

...for the petitioner

Mr. Pinaki Bhattacharyya
Mr. Supriya Majumder

...for the State

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

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

In spite of service none appears for the private-
respondents.

The petitioner claims to be the owner of Dag No.
889/1425, 889/1426 and 950 within Mouza –
Kalikakhali, JL No. 91, Khatian No. 1004 under
Chandipur Police Station in the district of Purba
Medinipur. The petitioner states that in the eastern
side of the land of the petitioner there is a Nayanjali
(PWD Road Pathway) and PWD road namely
Nandakumar – Digha Road. Petitioner alleges that the

private-respondents have made construction in front of the entrance of the plot of the petitioner thereby obstructing the ingress and egress of the petitioner from his property to the PWD road. The petitioner claims to have submitted a representation dated November 10, 2025 before various authorities including the Assistant Engineer, Haldia Construction Sub-Division No. 1 (PWD).

The petitioner submits that in spite of receipt of such representation, no steps have been taken by the respondent.

Learned advocate appearing for the State submits that necessary steps in accordance with law shall be taken if any encroachment upon the PWD road is found.

Since an allegation of encroachment upon the PWD road has been made, it is the duty of the respondent authority to take steps in accordance with law if any encroachment upon the PWD road is found.

In the light of the submission made by the learned advocates appearing for the respective parties this writ petition stands disposed of without entering into the merits of the claims made in the said representation and by directing the Assistant

Engineer, Public Works Department (Roads), Tamluk Highway Sub-Division, PWD (Road), being the 4th respondent herein, to consider the representation dated November 10, 2025 and after making necessary enquiry and demarcation through competent officials, if any encroachment upon the PWD road is found, necessary proceedings in terms of Section 10 of West Bengal Highways Act, 1964 shall be initiated and the entire exercise under the said provision 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 together with a copy of the representation dated November 10, 2025.

(Hiranmay Bhattacharyya, J.)