

D/L- 3
11/02/2026
Ct. No.-19
Aritra

WPA 2026 of 2026
Sudip Jana & Anr.
Vs.
The State of West Bengal & Ors.

Mr. Raj Kr. Sain

....for the petitioners

Mr. Jayanta Narayan Mahanti
Mr. Sujit Chatterjee

....for the State

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

The learned advocate appearing for the petitioners submits that private respondents have duly been served. In spite of service none appears for the private respondents.

The petitioners claim to the owner of L.R. Plot No.51, J.L. No.118 within Mouza-Kumarara under Police Station Nandakumar in the District of Purba Medinipur.

The petitioners state that a PWD road is running just adjacent to the aforesaid property of the petitioners. The petitioners alleges that the private respondents have raised unauthorised construction by encroaching upon the PWD road just in front of the aforesaid property of the petitioner thereby obstructing ingress and egress of the petitioner from his property to the PWD road.

The petitioners submitted a representation before the Executive Engineer, Tamluk Highway Division, Public

Works (Roads) Directorate, requesting him to take steps for removal of unauthorised construction encroaching 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.

The 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.

In the light of the submission made by the learned advocates for the respective parties and without entering into the merits of the claim made by the petitioner in the representation dated December 9, 2025, WPA 2026 of 2026 stands disposed of by directing the Executive Engineer, Tamluk Highway Division, Public Works (Roads) Directorate, being the respondent No.4 to forward the copy of the representation dated December 9, 2025 to the Assistant Engineer, Haldia Highway Sub-Division, Public Works (Roads) Directorate, being the respondent No.5 and the respondent No.5 immediately upon receipt of the said representation shall conduct necessary enquiries and demarcation of the plot in question through competent Amin/Surveyor and after such demarcation and enquiry if any encroachment upon the PWD road is found, necessary proceeding in accordance with Section 10 of the West Bengal Highways Act, 1964 shall be initiated and the

entire exercise shall be completed as expeditiously as possible but positively within a period of 8 weeks from the date of receipt of a server copy of this order along with a copy of the representation dated December 9, 2025.

There will be no order as to costs.

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

(Hiranmay Bhattacharyya, J.)