

**IN THE HIGH COURT AT CALCUTTA  
Constitutional Writ Jurisdiction  
Appellate Side**

Ct.551    **05.02.26**  
D/L.  
Item No.793  
(Samar)

**WPA 2023 of 2025**

**Anup Kumar Chakraborty & Ors.  
Vs  
The State of West Bengal & Ors.**

Mr. Gazi Faruque Hossain,  
Mr. Varsha Roy,  
...for the petitioners.

Mr. Lalit Mohan Mahata, Ld. AGP.,  
Mr. P.B. Mahata,  
....for the State.

1. This writ petition alleges inaction on the part of the respondent no. 4 i.e. the Sub-Divisional Officer, Srerampur, District-Hooghly in taking appropriate steps against the respondent nos. 10 to 11 who have allegedly encroached upon Government/Public Land.
2. Learned advocate appearing for the petitioner invites the attention of this court to a representation dated September 13, 2024 made by the petitioners to the respondent state authorities including the respondent no. 4 and submits that despite a complaint against encroachment over Governments/Public Land having been made as far as back on September 13, 2024 nothing has been done as yet.
3. Learned advocate appearing for the respondents state authorities hands up to court a copy of the

instructions forwarded to him on February 4, 2025 and submits that a notice under Section 10(1) of the West Bengal Highways Act, 1964 has already been issued and steps have already been taken under the relevant provisions of the said Act, 1964 against the alleged encroachment.

4. Having heard the learned advocates appearing for the respective parties and having considered the material on record, while it is evident that steps for initiating proceedings under the relevant provisions of the said Act of 1964 have been taken, it does not appear that the respondent state authorities have been able to conclude the same as yet.
5. In such view of the matter, it is directed that the respondent i.e nos. 4 (i.e. the Sub-Divisional Officer, Serampore) and 5 (i.e. the Assistant Engineer, Serampore Bridge Highway Sub-Division) should take appropriate steps in terms of the relevant provisions of the said Act of 1964 and ensure that the proceedings under the said Act are concluded as expeditiously as possible, preferably within a period of eight weeks from the date of communication of this order.
6. It is needless to mention that the all interested persons including the petitioner and the respondent nos. 10 and 11 shall be permitted to place their

respective cases and shall be afforded an opportunity of hearing prior to the final decision being taken

7. WPA 2023 of 2025 stand disposed of with the above observations and instructions handed up to court today is taken on record.

8. Urgent photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities

***(Om Narayan Rai , J.)***