

Court No. 19
(265719)

04.02.2026
(AD 17)
(S. Banerjee)

WPA 2296 of 2026

Ashima Halder & Ors.
Vs.
The State of West Bengal & Ors.

Mr. Sarthak Burman

...for the petitioners

Ms. Sanjita Roy

Mr. Bhaskar Chakraborty

...for the State

Mr. Chandra Nath Sarkar

...for the respondent no. 9

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

The petitioners claim to be the owner of LR Dag
No. 845, LR Khatian No. 1491 in Mouza – Ghasiyaara
in the district of South 24 Parganas. The petitioners
allege that the private respondents have encroached
upon a portion of the PWD road lying adjacent to the
aforesaid property of the petitioners. Petitioners claim
to have submitted a representation before the
Assistant Engineer, Public Works (Roads)
Department, Baruipur dated January 6, 2026.
Learned advocate appearing for the petitioners
submits that in spite of receipt of such representation
no steps have been taken by the respondent

authorities for removal of such unauthorized encroachment.

Mr. Sarkar, learned advocate appearing for the private-respondent submits that the private-respondent has not encroached upon any portion of the PWD road.

Heard the learned advocate appearing for the State.

Since a representation alleging encroachment upon the PWD road has been made, it is the duty of the respondent authorities to consider the representation and to take steps in accordance with law if an encroachment upon the PWD road is found.

Without entering into the merit of the claim made in the said representation, this writ petition stands disposed of by directing the Assistant Engineer, Public Works (Roads) Directorate, Baruipur Sub-Division, being the 5th respondent herein, to consider the representation of the petitioners dated January 6, 2026 and upon necessary enquiry and demarcation through competent officials, if any encroachment upon the PWD road is found, necessary proceeding in accordance with the provisions of the West Bengal Highways Act, 1964 shall be initiated. 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 along with a copy of the representation dated January 6, 2026.

(Hiranmay Bhattacharyya, J.)