

D/L- 5
06/02/2026
Ct. No.-19
Aritra

WPA 2571 of 2026
Pradip Bhowmik & Ors.
Vs.
The State of West Bengal & Ors.

Mr. Dilip Kumar Sinha
....for the petitioners

Mr. Chandi Charan De, AGP
Mr. Anirban Sarkar
....for the State

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

The petitioners have approached this Court praying for a direction upon the concerned District Magistrate to dispose of the pending appeal filed under the provision of Section 10(4) of the West Bengal Highways Act, 1964.

Mr. De, learned Additional Government Pleader submits that the said appeal will be disposed of within the time limit as may be fixed by this Court.

The persons against whom the petitioners lodged a complaint of encroachment, preferred an appeal under Section 10(4) of the 1964 Act before the District Magistrate, Purba Medinipur, against the order passed under Section 10(3) of the 1964 Act. Petitioner, who is the complainant, has approached this Court for a direction upon the District Magistrate to dispose of such appeal expeditiously.

Since the issue relates to removal of encroachment from PWD road, an appeal under Section 10(4) of the 1964 Act is required to be disposed of expeditiously.

In the light of the submissions made by the learned advocates for the respective parties, WPA 2571 of 2026 stands disposed of by directing the District Magistrate, Purba Medinipur, being the respondent No.4 to fix a date of hearing and after affording an opportunity of hearing to the respective parties make an endeavor to dispose of the said appeal directed against the order dated July 15, 2025 passed under Section 10(3) of the 1964 Act in case No.30 of 2025 as expeditiously as possible without granting any unnecessary adjournments to either of the parties. The District Magistrate is directed to dispose of the said appeal as expeditiously as possible but positively within a period of 12 weeks from the date of receipt of server copy of this order.

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.)