

Item-
2. 17-02-2026

WPA 2847 of 2026

sg Ct. 19

Karuna Rani Saha
Versus
State of West Bengal & Ors.

Mr. Atis Kumar Biswas
...for the petitioner
Mr. Lalit Mohan Mahata
Mr. Rudranil De
...for the State
Mr. Avijit Ganguly
...for the respondent nos.13-17

Affidavit of service filed in Court is taken on record.

The petitioner claims to be the owner of LR dag no. 773, Khatian no. 3383, JL no. 48, within Mouza Khidirpur, under Police Station Nakashipara in the District of Nadia. The petitioner states that a PWD Road is running adjacent to the property of the petitioner. The petitioner alleges that the private respondents have raised an unauthorized construction by encroaching upon the PWD road thereby causing obstruction to the ingress and egress of the petitioner from her property to the PWD road. The petitioner submitted a representation dated 18th August, 2025 before various authorities including the Assistant Engineer, Public Works (Road) Directorate, Plassey Highway Division, Plassey.

The learned Counsel appearing for the petitioner submits that in spite of receipt of such representation, no steps have been taken by the respondent authorities to remove the encroachment from the PWD road till date.

Learned Counsel appearing for the respondents submits that the petitioner do not have any property adjacent

to the PWD road. He submits that several persons including the husband of the petitioner have raised the construction by encroaching upon the PWD road. He further submits that the petitioner has not approached the authorities for removal of the encroachment made by other persons excepting the private respondents.

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

The learned Advocate for the State submits that necessary steps in accordance with law shall be taken if any encroachment upon the PWD road is found.

Without entering into the merits of the claim made by the petitioner in the presentation dated 18th August, 2025, WPA 2847 of 2026, stands disposed of by directing the Assistant Engineer, Public Works (Road) Directorate, Plassey Highway Division, Plassey, being the 9th respondent, to consider the representation of the petitioner dated 18th August, 2025 and after conducting necessary enquiries and demarcation of the plot in question through competent Amins/Surveyors, upon prior notice to the petitioner, private respondents and any other party/parties who may be affected and if any encroachment upon the PWD road is found, necessary proceeding in accordance relevant provisions of the statute shall be initiated and the entire exercise under the said statute 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 18th August,, 2025.

It is, however, made clear that in the event it is found that the petitioner and/or her relatives have also encroached any portion of PWD road, steps in accordance with law shall also be taken against the petitioner or the members of her family.

Needless to mention that if it is found that there has been no encroachment upon the PWD road, such decision shall also be communicated by the ninth respondent to the petitioners within the time limit as indicated hereinbefore.

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

(Hiranmay Bhattacharyya, J.)