

SL. 3
20.02.2026
Court No.19
BP

WPA 2852 of 2026

Sabibur Mondal
-versus-
The State of West Bengal and others

Mr. Md. Golam Nure Imrohi
Mr. Partha Pratim Sinha
..for the petitioner

Ms. Sipra Mazumdar
Ms. Somashree Dey
..for the State

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

The learned advocate appearing for the petitioner submits that the private respondent has been duly served.

In spite of service none appears for the private respondent.

Learned advocate for the State is represented.

The petitioner claims to be owner of L.R. Plot No. 1192, L.R. Khatian No. 7042 within Mouza Sultanpur, J.L. No.73 in the District of Murshidabad. The petitioner states that the PWD road namely, Bhatsala to Kushaberia road is running adjacent to the aforesaid property of the petitioner. The petitioner alleges that the private respondents have constructed an unauthorised structure by encroaching upon the PWD road. The petitioner submitted a representation before the Assistant Engineer, Public Works Department, Berhampore Highway Sub-

Division dated 7th January, 2026 praying for removal of encroachment from the PWD road.

The learned advocate appearing for the petitioner submits that in spite of receipt of such representation no steps have been taken by the respondent authorities till date.

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 submissions made by the learned advocates for the respective parties, WPA 2852 of 2026 stands disposed of by directing the Assistant Engineer, Public Works Department, Berhampore Sub-Division-III, Murshidabad being the 4th respondent to consider the representation of the petitioner dated 7th January, 2026 and after making necessary enquiry and demarcation through competent officials, if any encroachment upon the PWD road is found necessary proceeding in accordance with the West Bengal Highways Act, 1964 shall be initiated and the entire exercise under the said provision shall be completed as expeditiously as possible but positively within a period of eight weeks from the receipt of a server copy of this order together with a copy of the representation dated 7th January, 2026.

There shall be however no order as to costs.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Hiranmay Bhattacharyya, J.)