

Item-
15. 12-02-2026

WPA 2864 of 2026

sg Ct. 19
Amit Mishra
Versus
The State of West Bengal & Ors.

Mr. Chitrak Biswas
...for the petitioner
Mr. Tapan Coomer Dey
Ms. Anima Das Chakraborty
...for the State

Affidavit of service filed in Court is taken on record.

The learned Advocate appearing for the petitioner
submits that the private respondents have been duly served.

However, in spite of service, none appears on behalf
of the private respondents.

The petitioner claims to be recorded owner of the LR
plot Nos. 71 and 73, Khatian Nos. 365 and 366, JL No. 313,
within Mouza Chotomatkatpur, under the jurisdiction of
Belda Police Station, in the District of Paschim Medinipur.
The petitioner states that a State Highway-V commonly
known as Belda Keshiary Road is running adjacent to the
aforesaid property of the petitioner. The petitioner alleges that
the private respondents have raised an unauthorized
construction by encroaching upon the State Highway thereby
causing obstruction to the ingress and egress of the petitioner
from his property to the State Highway.

The petitioner submitted a representation dated 22nd
January, 2026 before the Assistant Engineer, Kharagpur,
Highway Sub-Division, being the respondent no.3 praying for

removal of encroachment from highway

The learned Counsel for the petitioner submits that the 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 State Highway is found.

In the light of the submissions made by the learned Advocates for the respective parties and without entering into the merits of the claim made by the petitioner in the representation dated January 22, 2026, WPA 2864 of 2026, stands disposed of by directing the Assistant Engineer, Kharagpur, Highway Sub-Division, Paschim Medinipur, being the respondent no.6, to consider the representation of the petitioner dated January 22, 2026 and after making necessary enquiries and demarcation through competent Amins/Surveyors, if any encroachment upon the State Highway is found, necessary proceedings in accordance with provisions of 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 date of receipt of a server copy of this order along with a copy of the representation dated January 22, 2026.

In case it is found that there has been no encroachment upon the State Highway, such decision shall

also be communicated by the sixth respondent to the petitioner 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.)