

Sl. 21
11.03.2026
Court No.19
BP

WPA 4480 of 2026

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

Mr. Debdip Mandal
..for the petitioner

Mr. Prasanta Kumar Giri
Mr. Hare Krishna Haldar
..for the State

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

The petitioner claims to be the owner of R.S. Dag No. 2874 corresponding to L.R. Dag No. 3945 within Mouza Shitarampur, J.L. No. 07 under Police Station Harwood Point Costal in the District of South 24 Parganas. The petitioner states that PWD road from Kulpi to Kakdwip Main Road is running adjacent to the aforesaid property of the petitioner. The petitioner alleges that the private respondents have constructed the residence and shop rooms by encroaching upon a portion of the PWD road and is using the same for commercial purpose. The petitioner submitted a representation dated 26th September, 2025 before the Assistant Engineer, Diamond Harbour, National Highway Sub-Division, PWD (Raods) Directorate praying for removal of encroachment

from the portion of the PWD road just in front of the raiyati property of the petitioner.

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 4480 of 2026 stands disposed of by directing the Assistant Engineer, Diamond Harbour, National Highway Sub-Division, Directorate of Public Works (Roads), Government of West Bengal being the 3rd respondent to consider the representation of the petitioner dated 26th September, 2025 and after causing necessary enquiries and demarcation through competent Amins/surveyors upon prior service of notice to the petitioner, the private respondents and any other person, who may be affected by such demarcation and if upon such demarcation it is found that there has been an encroachment upon the PWD road, the 3rd respondent shall initiate an appropriate proceeding under the relevant statute and the entire exercise under the said provision shall be completed by the 3rd respondent as expeditiously as possible but

positively within a period of ten weeks from the receipt of a server copy of this order along with a copy of the representation dated 26th September, 2025. If the said respondent is of the view that there is no encroachment upon the PWD road, such decision shall also be communicated to the petitioner, the private respondents within the time limit mentioned hereinbefore.

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.)