

Sl.26
17.03.2026
Court No.19
BP

WPA 5665 of 2026

Ketab Sk.
-versus-
The State of West Bengal & Ors.

Mr. Hamidur Rahaman
Mr. Parvej Islam
..for the petitioner

Mr. Pritam Chowdhury
Mr. Arun Kumar Saha
..for the State

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

In spite of service none appears for the private respondents.

State is represented by its learned advocate.

The petitioner claims to be the owner of a plot of land being Dag No. 5953 within Mouza Sripur, J.L. No.60 under Police Station Harihorpara in the District of Murshidabad. The petitioner states that PWD road is running adjacent to the aforesaid property of the petitioner and the private respondents have encroached upon a portion of the PWD road thereby causing obstruction to the ingress and egress of the petitioner from his property to the PWD road. The petitioner submitted a representation dated 22nd February, 2026 requesting the respondent authorities to remove the unauthorised 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 to remove the unauthorised encroachment from the PWD road.

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 5665 of 2026 stands disposed of by directing the Assistant Engineer, PWD (Roads), Murshidabad Highway Division-I being the 5th respondent to consider the representation of the petitioner dated 22nd February, 2026 and after causing necessary enquiry 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 upon such demarcation, if any encroachment upon the PWD road is found, necessary steps in accordance with the provisions of Section 10 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 ten weeks from the receipt of a server copy of this order along with a copy of the representation dated 22nd February, 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.)