

Court No. 19
(265719)

30.03.2026
(AD 9)
(S. Banerjee)

WPA 6128 of 2026

Mithun Mandal
Vs.
The State of West Bengal & Ors.

Mr. Partha Sarathi Mondal
Mr. Kingsuk Mondal

...for the petitioner

Mr. Pinaki Bhattacharya
Mr. Sandipan Maity

...for the State

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

Learned advocate appearing for the petitioner
submits that the private-respondents have been duly
served.

In spite of service none appears for the private-
respondents.

State is represented.

Petitioner claims to be the recorded owner of a
plot of land being LR Dag No. 21, JL No. 16 within
Mouza – Dayarampur under Jalangi Police Station in
the District of Murshidabad. Petitioner states that a
PWD road from Jortola to Sagarpara is running
adjacent to the aforesaid property of the petitioner.

Petitioner alleges that private-respondents have encroached upon the PWD road just in front of the property of the petitioner thereby causing obstruction to the ingress and egress of the petitioner from his property.

Petitioner submitted a representation dated November 17, 2025 before the respondent authorities including the Assistant Engineer, PW Roads Directorate, Berhampore Highway Sub Division.

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 encroachment from the PWD road.

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.

Without entering into the merits of the claims made by the petitioner in the representation dated November 17, 2025, this writ petition stands disposed of by directing the Assistant Engineer, PW Roads Directorate, Berhampore Highway Sub Division, being the 3rd respondent herein, to consider the

representation of the petitioner dated November 17, 2025 and after conducting necessary enquiries and demarcation through competent Amin/Surveyors, upon prior service of notice to the petitioner, the private-respondents or any person who may be affected by such demarcation and, upon such demarcation if it found that there has been an encroachment upon the PWD road, necessary proceeding in accordance with the provisions of Section 10 of the West Bengal Highways Act shall be initiated and the entire exercise shall be completed as expeditiously as possible but positively within a period of 10 weeks from the receipt of a server copy of this order along with a copy of the representation dated November 17, 2025.

(Hiranmay Bhattacharyya, J.)