

D/L- 10
07/04/2026
Ct. No.-19
Aritra

WPA 7243 of 2026
Patit Paban Bibar
Vs.
The State of West Bengal & Ors.

Mr. Raj Kr. Sain

....for the petitioner

Mr. Vimal Kumar Shahi, AGP
Mr. Anubrata Santra

....for the State

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

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

In spite of service none appears for the private respondents.

The petitioner claims to be the recorded owner of L.R. Plot No.1135 within Mouza-Jambur Basan, J.L. No.87 under Police Station-Nandakumar in the District of Purba Medinipur.

The petitioner states that a PWD road is running adjacent to the aforesaid property of the petitioner and the private respondents have erected a construction by encroaching 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 before various authorities including the Assistant Engineer, Haldia Highway Sub-Division, Public Works (Roads) Directorate dated February 9, 2026.

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 encroachment from the PWD road.

The learned advocate for the State submits that necessary steps in accordance with law shall be taken if any encroachment upon the PWD road is found.

Since an allegation of encroachment upon the PWD road has been made, it is the duty of the respondent authorities to consider such allegation and take steps for removal of encroachment, if any.

Without entering into the merits of the claim made by the petitioner in the representation dated February 9, 2026, WPA 7243 of 2026 stands disposed of by directing the Assistant Engineer, Haldia Highway Sub-Division, Public Works (Roads) Directorate, being the respondent No.5 to consider the representation of the petitioner dated February 9, 2026 and after causing necessary enquiries and demarcation through competent Amin/Surveyor 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 is found, necessary proceedings under the relevant statute shall be initiated and the entire exercise under the said provision shall be completed as expeditiously as possible but positively within a period of 4 months from the date of receipt of a server copy of this

order together with a copy of the representation dated February 9, 2026.

Needless to mention that if the said authority arrives at a conclusion that there is no encroachment upon the PWD road such decision shall also be communicated to the petitioner and others within the time limit as mentioned hereinbefore.

There will be no order as to costs.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Hiranmay Bhattacharyya, J.)