

Sl. 9
21.04.2026
Court No.19
BP

WPA 7387 of 2026

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

Mr. Md. Yusuf Ali
..for the petitioner

Mr. Lalit Mohan Mahata, Ld. AGP
Mr. Ziaul Haque
..for the State

Mr. Riddhi Tanveer
..for the respondent no. 7

Mr. Munir Ahmed
..for the respondent no.8

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

The petitioner claims to be the owner of plots of land being Dag No. 3734 and 3735 within Mouza Barua in the District of Murshidabad. The petitioner states that Beldanga-Amtala PWD road runs on the Southern side of the property of the petitioner. The petitioner alleges that the private respondents herein have raised an unauthorised construction by encroaching upon the PWD road.

The petitioner submitted a representation before the Assistant Engineer, Public Works (Roads) Directorate,

Berhampore Highway Sub-Division dated 16th February, 2026 for removal of 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 encroachment from the PWD road.

The learned advocate appearing for the private respondents denies the allegation made by the petitioner.

Mr. Mahata, learned Additional Government Pleader 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 claim made by the petitioner in the representation dated 16th February, 2026, WPA 7387 of 2026 stands disposed of by directing the Assistant Engineer, Public Works (Roads) Directorate, Berhampore Highway Sub-Division being the 4th respondent to consider the representation of the petitioner dated 16th February, 2026 and after causing necessary enquiries and demarcation of the disputed property by engaging 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 it is found there has been an encroachment upon the PWD road, appropriate proceeding under the provisions of the relevant statute shall be initiated and the entire exercise

shall be completed as expeditiously as possible but positively within a period of twelve weeks from the receipt of a server copy of this order along with a copy of the representation dated 16th February, 2026.

In the event the authorities arrive at a conclusion that there has been no encroachment upon the PWD road, such decision shall also be communicated to the petitioner and other parties within the time limit indicated 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.)