

Item-
3.

10-04-2026

sg

Ct. 19

WPA 8134 of 2026

Debasis Samanta
Versus
Union of India & Ors.

Mr. Ashim Kumar Ganguly
Ms. Sanghamitra Nandi
...for the petitioner
Mr. Saibal Acharya
Miss. Indrani Nandi
...for the State

Affidavit of service filed in Court is taken on record.

The learned Counsel appearing for the petitioner submits that the private respondent has been duly served. In spite of service, none appears for the private respondent.

The petitioner claims to be the owner of plots of land being plot nos. 425 and 427, under Mouza Bahirgar, J.L. No. 12, in the District Medinipur. The petitioner alleges that the portion of the National Highway no. 41 which is running adjacent to the aforesaid properties of the petitioner has been encroached upon by the private respondent by putting up a construction thereupon.

The learned Advocate appearing for the petitioner submits that the petitioner has submitted a representation before the Project Director by a letter dated 23rd February, 2026. A copy of such representation is claimed to have been forwarded also to the District Magistrate, Purba Medinipur. The learned Advocate for the petitioner submits that in spite of receipt of the same, the District Magistrate has not taken any steps to remove the encroachment upon the National Highway.

Mr. Acharya, learned Advocate appearing for the

State submits that necessary steps in accordance with law shall be taken if any encroachment upon the National Highway is found.

In the light of the submissions made by the learned Advocates for the respective parties and without entering into the merits of the claim made by the petitioner in the representation dated 23rd February, 2026, WPA 8134 of 2026, stands disposed of by directing the District Magistrate, Purba Medinipur, being the second respondent, to consider the representation of the petitioner dated 23rd February, 2026 and to dispose of the same by passing a reasoned order in accordance with the law and to communicate the same to the petitioner as expeditiously as possible but positively within a period of 12 weeks from the receipt of a server copy of this order along with a copy of the representation dated 23rd February, 2026.

Needless to mention that if it is found that there has been encroachment upon the National Highway, consequential steps thereupon shall be taken by such authority.

In addition, the Project Director, being the fourth respondent, is directed to forward a copy of the representation dated 23rd February, 2026 to the District Magistrate.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Hiranmay Bhattacharyya, J.)