

Sl. 10
22.04.2026
Court No.19
BP

WPA 8838 of 2026

Uttam Kumar Bera & Anr.
-versus-
The State of West Bengal & Ors.

Mr. Kamal Mishra
..for the petitioners

Mr. Ayan Banerjee
Mr. Ajeyo Chowdhury
..for the State

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

The petitioners claim to be the owner of a plot of land being L.R. Dag No. 3603 within Mouza Gholpukuria, J.L. No. 134 under Police Station Nandigram in the District of Purba Medinipur. The petitioners state that a land belonging to the Public Works Department is lying adjacent to the aforesaid property of the petitioners. The petitioners allege that the private respondents have made an unauthorised construction by encroaching upon the land belonging to the Public Works Department thereby causing obstruction to the ingress and egress of the petitioners from their property to the main road.

The petitioners submitted a representation before various authorities including the Assistant Engineer, Haldia Sub-Division, Public Works Department (Roads)

dated 25th August, 2025 requesting such authority to remove the encroachment from the land belonging to the PWD.

Mr. Mishra, learned advocate appearing for the petitioners submits that in spite of receipt of such representation no steps have been taken by the respondent authorities to remove the encroachment from the land belonging to the PWD.

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

In the light of the submissions made by the learned advocates for the respective parties, WPA 8838 of 2026 stands disposed of by directing the Assistant Engineer, Haldia Sub-Division, Public Works (Roads) Directorate being the 4th respondent to consider the representation of the petitioners dated 25th August, 2025 and after causing necessary enquiries and demarcation through competent Amins/surveyors upon prior service of notice to the petitioners, 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 land belonging to the PWD, appropriate proceeding under the relevant provisions of the 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 25th August, 2025.

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.)