

A. 12
08.06.2026
Court No.19
BP

WPA 9732 of 2026

Lakshman Chandra Dinda
-versus-
The State of West Bengal and others

Mr. Salil Kumar Maiti
Ms. Dolan Samanta
..for the petitioner

Ms. Ranjana Chatterjee
Ms. Puja Sonkar
..for the State

Ms. Rama Halder
Mr. Susanta Kumar Santra
..for the respondent nos. 8 to 22, 24 to 28

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

Ms. Chatterjee, learned advocate appears along with her junior. Let the appointment of Ms. Chatterjee along with a junior of her choice be regularized by the concerned authority.

The petitioner claims to be the owner of a plot of land being Dag No. 859 within Mouza Sudampur, J.L. No. 199 in the District of Purba Midnapore. The petitioner alleges that the private respondents have constructed a partly pucca and partly semi pucca structure with tin and asbestos shed by encroaching 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 to the PWD road. The petitioner

submitted a representation before various authorities including the Assistant Engineer, Panskura Highway Sub-Division, Public Works (Roads) Directorate, Purba Medinipur by a letter dated 27th February, 2026 requesting the said authority to remove the 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 till date.

The learned advocate appearing for the private respondents seriously disputes the allegation made by the petitioner. She submits that the private respondents have only erected temporary structures. She however disputes that such structure has been constructed by encroaching upon the PWD road.

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

Since an allegation of encroachment upon the PWD road has been made, it is the duty of the respondent authorities to take steps in accordance with law 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 27th February, 2026, WPA 9732 of 2026 stands disposed of by

directing the Assistant Engineer, Panskura Highway Sub-Division, Public Works (Roads) Directorate, Purba Medinipur being the 3rd respondent to consider the representation of the petitioner dated 27th February, 2026 and after making necessary enquiries and demarcation through 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 that there has been any encroachment upon the PWD road, an appropriate proceeding under the provisions of the West Bengal Highways Act, 1964 shall be initiated and the entire exercise under the said provision shall be completed as expeditiously as possible but positively within a period of ten weeks from the receipt of a server copy of this order along with a copy of the representation dated 27th February, 2026.

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.)