

Sl. 27
09.06.2026
Court No.19
BP

WPA 10277 of 2026

Md. Mahinuddin Khan
-versus-
The State of West Bengal & Ors.

Mr. Raj Kumar Sain
..for the petitioner

Mr. Nilanjan Bhattacharjee
Ms. Jayita Dhar Chakraborty
Mr. Rhitan Chatterjee
..for the State

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

The learned advocate appearing for the petitioner submits that the registered envelopes addressed to the private respondents returned with the endorsement “insufficient address”.

Mr. Bhattacharjee, learned Senior Standing Counsel, who usually represents the State and is present in Court today, is requested to appear in this matter along with a junior of his choice. Let the appointment of Mr. Bhattacharjee along with a junior of his choice be regularized by the concerned authority.

The petitioner claims to be the owner of a plot of land being L.R. Dag No. 3188 and 3192, J.L. No. 126 within Mouza Basudevpur under Police Station Durgachack in the District of Purba Medinipur. The petitioners states that there is a PWD road running

adjacent to the aforesaid property of the petitioner. The petitioner alleges that the private respondents have encroached upon a portion of the PWD road lying in front of the property of the petitioner thereby obstructing the ingress and egress of the petitioner from his property to the PWD road. The petitioner claims to have submitted a representation dated 28th March, 2026 before various authorities including the Assistant Engineer, Haldia Highway Sub-Division, Public Works (Roads) Directorate, Chaitanyapur praying for removal of encroachment from the PWD road.

Mr. Bhattacharjee, learned senior standing counsel submits that necessary steps in accordance with law shall be taken if any encroachment is found upon the PWD road.

Without entering into the merits of the claim made by the petitioner in the representation dated 28th March, 2026, WPA 10277 of 2026 stands disposed of by directing the Assistant Engineer, Haldia Highway Sub-Division, Public Works (Roads) Directorate, Chaitanyapur being the 5th respondent to consider the representation of the petitioner dated 28th March, 2026 and after causing necessary enquiries and demarcation 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 that any portion of

the PWD road has been encroached upon, necessary proceeding in accordance with 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 28th March, 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.)