

Item- 10-06-2026
A-44.

Ct. 19
sg

WPA 11041 of 2026

Sourav Khanra
Versus
State of West Bengal & Ors.

Ms. Ipsita Ghosh
...for the petitioner
Mr. Nilanjan Bhattacharjee
Ms. Jayita Dhar Chakraborty
Mr. Rajen Dutta
...for the State

None appears on behalf of the State at the when the matter is taken up for hearing.

Mr. Bhattacharjee, learned Senior Standing Counsel, who usually represents the State of West Bengal, is present in Court and is requested to appear in this matter along with a junior of his choice.

Let the appointments of Mr. Bhattacharjee along with a junior of his choice be regularized by the competent authority.

Let a copy of the writ petition be served upon the junior of Mr. Bhattacharjee in course of this day.

On the prayer of the learned Counsel for the petitioner, leave is granted to the learned advocate-on-record to implead the jurisdictional Assistant Engineer as party respondent in this writ petition.

Since the State is represented, there is no necessary to serve a fresh copy of the writ petition upon the added respondent.

The learned Advocate for the petitioner submits that the private respondents have been duly served.

The petitioner claims to be the owner of several plots

of land within Mouza Thalia, under Police Station Jaypur in the District of Howrah. The petitioner states a PWD road is running adjacent to the aforesaid properties of the petitioner. The petitioner alleges that the private respondents have raised an unauthorized construction by encroaching upon the PWD road thereby causing obstruction to the ingress and egress of the petitioner from his property to the PWD road. The petitioner submitted a representation dated 1st April, 2026 before Executive Engineer, Public Works Department, Howrah Division, praying for removal of encroachment upon 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 authority to remove the encroachment from the PWD road till date.

Mr. Bhattacharjee, learned Senior Standing Counsel submits that necessary steps shall be taken in accordance with law if any encroachment from the PWD road is found.

In the light of the submission 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 1st April, 2026, this writ petition stands disposed of by directing the added respondent to consider the representation of the petitioner dated 1st April, 2026 and after causing enquiry and demarcation of the disputed plots by engaging competent Amin/Survior, upon prior notice to the petitioner, private respondents and any other party/parties who may be affected by such demarcation and upon such demarcation, if any encroachment upon the PWD road is found, necessary proceeding in accordance with the

provisions of relevant statute shall be initiated and the entire exercise under the said statute 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 1st April, 2026.

The Executive Engineer, Public Works Department, Howrah Division, being the respondent no.2, is directed to immediately forward the copy of the representation dated 1st April, 2026 to the jurisdictional Assistant Engineer, being the added respondent.

Needless to mention that if it is found that there has been no encroachment upon the PWD road, such decision shall also be communicated to the petitioner within the time limit as indicated hereinbefore.

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

(Hiranmay Bhattacharyya, J.)