

Court No. 19
(265719)

10.06.2026
(AD 4)
(S. Banerjee)

WPA 11181 of 2026

Nurul Hasan Molla
Vs.
The State of West Bengal & Ors.

Mr. Dhananjay Banerjee
Mr. Archan Dutta
Mr. Partha Sarathi Mishra

...for the petitioner

Mr. Nilanjan Bhattacharjee, Sr. Advocate
Ms. Jayita Dhar Chakraborty
Mr. Rhitam Chatterjee

...for the State

The petitioner claims to be the recorded owner of a plot of land being RS Plot No. 790, corresponding to LR Plot No. 807 within Mouza Bara Gohal under Uluberia Police Station in the district of Howrah. The petitioner states that there is a PWD road running adjacent to the aforesaid property of the petitioner. The petitioner alleges that the private-respondent has made an unauthorized construction by encroaching upon the PWD road which is in front of the property of the petitioner thereby causing obstruction to ingress and egress of the petitioner from his property to the PWD road.

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

Learned advocate appearing for the petitioner submits that the private-respondent has been duly served.

State is represented by its learned advocates.

The petitioner submitted a representation dated March 2, 2026 before the Assistant Engineer, PWD, Uluberia requesting the respondent authority to remove the encroachment from the PWD land. Learned advocate appearing for the petitioner submits that no steps have been taken by the respondent authorities to remove the encroachment from the PWD road.

Learned advocate appearing for the State submits that necessary steps in accordance with law shall be taken if any encroachment upon the PWD road 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, this writ petition stands disposed of by directing the Assistant Engineer, PWD, Uluberia, being the 5th respondent, to consider the representation of the petitioner dated March 2, 2026 and after causing necessary enquiry and demarcation through competent Amin/Surveyors upon prior notice to the petitioner, the private-respondent and any

other person who may be affected by such demarcation and upon such demarcation if any encroachment is found, appropriate proceeding in accordance with the relevant provision of the statute shall be initiated and entire exercise shall be completed as expeditiously as possible but positively within a period of 10 weeks from the date of receipt of a server copy of this order along with a copy of the representation dated March 2, 2026.

Needless to mention that if the authority arrives at a conclusion that there is no encroachment upon the PWD land, such decision shall also be communicated to the petitioner and others within the aforesaid time limit.

(Hiranmay Bhattacharyya, J.)