

Item-
ML
297.

Ct. 19

sg

WPA 10980 of 2025

Arabinda Manna
Versus
State of West Bengal & Ors.

Mr. Bharat Chandra Simai
...for the petitioner

Affidavit of service filed in Court is taken on record.

The learned Advocate appearing for the petitioner submits that the respondents have been duly served. In spite of server, none appears for the respondents.

The petitioner claims to be the owner of a plot of land being Dag No. 630, JL no. 176, within Mouza Mullickpur, under Police Station Egra, in the District of Purba Medinipur.

The petitioner states that a PWD road from Egra to Contai is running adjacent to the aforesaid property of the petitioner. The petitioner alleges that the private respondents have raised construction by encroaching upon the PWD road thereby causing obstruction to the ingress and egress of the petitioner from his property to the said PWD road.

The learned Advocate appearing for the petitioner submits that the petitioner has submitted a representation dated 16th December, 2024 before the Assistant Engineer, Public Works Department (Directorate of Department), Contai Sub-Division, for removal of the unauthorized encroachment from the PWD road. The learned Advocate 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 State Highway till date.

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 is found.

Without entering into the merits of the claim made by the petitioner in the representation dated 16th December, 2024, this writ petition stands disposed of by directing the Assistant Engineer, Public Works Department (Directorate Department) Contain Sub-Division, being the fourth respondent, to consider the representation of the petitioner dated 16th December, 2024 and after causing necessary enquiries and demarcation of the plot in question, through competent Amin/Surveyor, upon prior service of notice to the petitioner, private respondents and any other party/parties who may be affected by such demarcation and if any encroachment upon the PWD road is found, necessary proceeding in accordance with the law shall be initiated and the entire exercise under the said provision shall be completed as expeditiously as possible but positively within a period of four months from the receipt of a server copy of this order along with a copy of the representation dated 16th December, 2024.

Needless to mention that if it is found that there has been no encroachment upon the PWD road, such decision shall also be communicated by the fourth respondent 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.)