

Court No. 19
(265719)

12.06.2026

(AD 4)

(S. Banerjee)

WPA 11504 of 2026

Padmabati Mondal

Vs.

The State of West Bengal & Ors.

Mr. Biswajit Sau

...for the petitioner

Mr. Nilanjan Bhattacharjee, Sr. Advocate

Ms. Jayita Dhar Chakraborty

...for the State

Mr. Partha Sarathi Mondal

...for the respondent no. 7

Mr. Sau, learned advocate appearing for the petitioner submits that the respondents have been duly served. He prays for leave to file an affidavit of service in course of this day.

Such leave is granted.

Petitioner claims to be the owner of a plot of land being RS Dag No. 286 corresponding to LR Dag No. 443, Khatian No. 10141 and 10596, Mouza – Kakdwip, JL No. 39 of PS Harwood Point Coastal in the district of South 24 Parganas. Petitioner states that Kakdwip Streamer Ghat Road, a PWD road is running adjacent to the aforesaid property of the petitioner. 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. Petitioner claims to have submitted a representation before various authorities including the Assistant Engineer, Kakdwip, Highway Sub-Division PW(Roads), Directorate, Subhasnagar, Kakdwip, South 24 Parganas, by a letter dated April 20, 2026 requesting the said authority to remove the unauthorized construction. Petitioner submits that the respondent authorities have not taken any step to remove the encroachment from the PWD road.

Learned advocate appearing for the private-respondents seriously disputes the submissions made by the learned advocate appearing for the petitioner. He submits that the private-respondents are in occupation of a plot of land and are residing there. He submits that the petitioner is enjoying supply of electricity from the WBSEDCL. He further submits that no portion of PWD road has been encroached by the private-respondents.

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 respective parties and without entering into the merits of the claim made by the petitioner in the representation dated April 20, 2026, this writ petition

stands disposed of by directing the Assistant Engineer, Kakdwip, Highway Sub-Division PW(Roads), Directorate, Subhasnagar, Kakdwip, South 24 Parganas, being the 4th respondent, to consider the representation of the petitioner dated April 20, 2026 and after causing necessary enquiry and demarcation by engaging competent Amin/Surveyor upon prior service of notice to the petitioner, private-respondents and any other person who may be affected by such demarcation and upon such demarcation if any encroachment upon the PWD road is found, appropriate proceeding in accordance with law shall be initiated and the 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 April 20, 2026.

Needless to mention, if such authority is of the opinion that there is no encroachment upon the PWD road, such decision shall also be communicated to all the parties within the time limit mentioned hereinbefore.

(Hiranmay Bhattacharyya, J.)