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rkd 15.06.2026
Ct.05

W.P.A. 11918 of 2026

Jagabandhu Samanta

-vs-

The State of West Bengal & Ors.

Mr. Dhananjay Banerjee,
Mr. Pralay Hazra,
Mr. Partha Sarathi Mishra,
Mr. A. Dutta

....for the petitioner.

Mr. Gopal Chandra Ghosh,
Mr. RakKrishna Mondal

....for the respondent no.5.

Mr. Suryaneel Das,
Ms. Suchitra Sinha Chatterjee
Ms. Sumita Sarkar

....for the State.

1. Affidavit-of-service filed on behalf of the petitioner is taken on record.
2. Petitioner has approached this Court with the present writ petition seeking direction upon the concerned police authority for removal of obstruction alleged to have been made by the private respondents on the land of PWD.
3. It is also submitted that for running IOCL retail outlet one approach road is required to be constructed by the petitioner on the land of PWD.
4. Mr. Ghosh, learned senior advocate representing the respondent no.5 has opposed this writ petition and it is submitted that the issue whether land in question is vested with the PWD or not is under consideration in connection with an appeal preferred under Section 10(4) of West Bengal

Highways Act, 1964.

5. In this regard, reliance is placed on the order of the coordinate Bench dated 5th February, 2026 passed on a writ petition being WPA 1518 of 2025 (Nanda Ghoroi @ Nandalal -vs- The State of West Bengal & Ors.).
6. However, on perusal of the order dated 5th February, 2026 it appears that the land which was taken into consideration by the coordinate Bench situates under Dag No.67/980, Khatian No.212, Mouza- Jotadharpur under Police Station Dasput, District- Paschim Medinipur.
7. In contradistinction thereto, on perusal of memo no.282 dated 12th June, 2026 of Assistant Engineer, Ghatal Highway Sub-Division, P.W. (Roads), Directorate, it appears that said Assistant Engineer requested the concerned Sub-Divisional Police Officer, Ghatal, Pachim Medinipur for removal of obstruction from the land under Plot Nos.87/980, 87/981 and 87/983, JL No.74 and Khatian No.1119.
8. Therefore, description of land as disclosed in the memo dated 12th June, 2026 of aforesaid Assistant Engineer is not tallying with the description of the land stated in paragraph 2 of the order of the coordinate Bench dated 5th February, 2026.
9. Learned advocate representing the petitioner relies

upon memo no.282 dated 12th June, 2026 issued by the Assistant Engineer, Ghatal Highway Sub-Division whereby request was made to the concerned police authority for removal of obstruction from the land in question.

10. In view of aforesaid situation and taking note of submissions made by the respondents, it is clarified that if the land under Plot Nos. 87/980, 87/981 and 87/983, JL No.74 and Khatian No.1119 is owned by PWD in that event there is no impediment so far police authorities are concerned to remove the obstruction which would facilitate the petitioner to construct approach passage.
11. With the aforesaid clarification, writ petition stands disposed of.
12. Copy of the memo no.282 dated 12th June, 2026 issued by the Assistant Engineer, Ghatal Highway Sub-Division, P.W. (Roads), Directorate is taken on record and copy of the same is made over to the learned advocate representing the respondent no.5.
13. Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)