

D/L- 10
25/06/2026
Ct. No.-19
Aritra

WPA 13202 of 2026
Liayakat Hossain & Ors.
Vs.
The State of West Bengal & Ors.

Mr. Md. Golam Nure Imrohi
Mr. Partha Pratim Sinha

....for the petitioners

Mr. Nilanjan Bhattacharyya, S.S.C.,
Ms. Jayita Dhar Chakraborty
Mr. Rhitam Chatterjee

....for the State

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

The petitioners claim to be the owner of a plot of land being Dag No.6844 within Mouza-Khairamari under Police Station-Jalangi in the District of Murshidabad. The petitioners state that there is a PWD road running adjacent to the aforesaid property of the petitioners.

The petitioners allege that the private respondents have raised an unauthorised construction by encroaching upon the PWD road thereby causing obstruction to the ingress and egress of the petitioners from their property to the PWD road.

The petitioners submitted a representation before the Assistant Engineer, Islampur Highway Sub Division dated May 5, 2026, requesting such authority to remove the unauthorized construction from the PWD road.

The learned advocate appearing for the petitioners 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.

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

The learned advocate appearing for the petitioners submits that the private respondents have been duly served.

In spite of service, none appears for the private respondents.

Without entering into the merit of the claim made by the petitioners in the representation dated May 5, 2026, WPA 13202 of 2026 stands disposed of by directing the Assistant Engineer, Islampur Highway Sub Division, Public Works (Roads) Directorate, Murshidabad Division, being the respondent no.4 to consider the representation of the petitioners dated May 5, 2026 and after causing necessary enquiries and demarcation by engaging competent Amins/Surveyors upon prior service of notice to the petitioners, the private respondents and any other persons, who may be affected by such demarcation and upon such demarcation if it is found that any portion of the PWD road has been encroached upon, necessary proceedings in accordance with the relevant provisions of the statute for removal of encroachment 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 May 5, 2026.

Needless to mention that if the said authority arrives at a conclusion that there has been no encroachment upon the PWD road, such decision shall also be communicated to the petitioners and others within the time limit as mentioned hereinbefore.

There will be no order as to costs.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Hiranmay Bhattacharyya, J.)