

M/L- 65
10/06/2026
Ct. No.-19
Aritra

WPA 15927 of 2025
Nilesh Bhowmik & Anr.
Vs.
The State of West Bengal & Ors.

Mr. Raj Kr. Sain

....for the petitioners

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

....for the State

Mr. Salil Kumar Maiti
Ms. Dolan Samanta

....for the respondent no.8

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

The petitioner claims to be the owner of a plot of land being L.R. Plot No.1424 within Mouza-Dakshin Chara Sankarara, under Police Station-Tamluk in the District of Purba Medinipur. 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 raised an unauthorised 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.

The petitioner submitted a representation dated June 3, 2025 before the Assistant Engineer, Tamluk Highway Sub-Division, PWD (Roads) Directorates, Government of West Bengal, Tamluk, praying for removal of unauthorised encroachment from the PWD road.

The learned advocate appearing for the petitioner submits that in spite of receipt of such representation, no steps have been taken by the respondent authorities to remove the encroachment from the PWD road.

The learned advocate appearing for the private respondent however denies the allegations made by the petitioner against the private respondent. He submits that the private respondent has not made any *pucca* construction by encroaching upon the PWD road.

Mr. Bhattacharyya, learned Senior Standing Counsel 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 June 3, 2025 WPA 15927 of 2025 stands disposed of by directing the Assistant Engineer, Tamluk Highway Sub-Division, PWD (Roads) Directorates, being the respondent no.5 to consider the representation of the petitioner dated June 3, 2025 and after causing necessary inspection and demarcation through competent Amins/Surveyors upon prior service of notice to the petitioner, the private respondent and any other persons, who may be affected by such demarcation and upon such demarcation if it is found that there has been any encroachment upon the PWD road, necessary proceedings in accordance with the relevant provisions of the statute shall be initiated and the entire exercise shall be completed as expeditiously as

possible but positively within a period of 10 weeks from the receipt of a server copy of this order along with a copy of the representation dated June 3, 2025.

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 petitioner and others within the time limit as indicated 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.)