

M/L- 77  
10/06/2026  
Ct. No.-19  
Aritra

**WPA 16427 of 2025**

**Abdul Mahit Seikh @ Abdul  
Mahid Sk.**

**Vs.**

**The State of West Bengal & Ors.**

Mr. Prosenjit Mukherjee  
Mr. Jahangir Hossain  
Ms. Babita Pramanik

....for the petitioner

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 learned advocate appearing for the petitioner submits that the respondents have been duly served.

The petitioner claims to be the owner of a plot of land being L.R. Plot No.2673 and 2674 within Mouza-Baruipara, J.L. No.14 under Police Station-Hariharpara in the District of Murshidabad. The petitioner alleges that there is a PWD road running adjacent to the aforesaid property of the petitioner.

The learned advocate appearing for the petitioner submits that the private respondent along with one Narayan Saha raised an unauthorised construction by encroaching upon the PWD road. He further submits that pursuant to a complaint made by the petitioner the authorities removed the unauthorised encroachment made by Narayan Saha but the encroachment made by the private respondent upon the PWD road has not yet been

removed. He submits that the petitioner submitted a further representation dated June 26, 2025 before various authorities including the Assistant Engineer, PW (Roads) Directorate, Berhampore Highway Sub-Division, Berhampore to remove the encroachment from the PWD road.

None appears for the private respondent in spite of service.

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.

In the light of the submission made by the learned advocate for the respective parties, WPA 16427 of 2025 stands disposed of by directing the Assistant Engineer, PW (Roads) Directorate, Berhampore Highway Sub-Division, Berhampore, being the respondent no.3 to consider the representation of the petitioner dated June 26, 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 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 26, 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.)***