

A-87
10.06.2026
Court No.19
BP

WPA 16777 of 2025

Shibsankar Manna
-versus-
The Union of India & Ors.

Mr. Golam Mastafa
Mr. Tarasankar Samanta
..for the petitioner

Mr. Nilanjan Bhattacharjee, Sr. Standing Counsel
Ms. Jayita Dhar Chakraborty
Mr. Rhitam Chatterjee
..for the State

Mr. Anit Mehoria
Ms. Paramita Banerjee
Mr. Sayan Dey
Mr. Yash Mahmia
...for NHAI

Mr. Kartick Kumar Bhattacharya
Mr. Biswajit Mal
Ms. Soumashree Dutta
Ms. P. Naskar
..for the respondent no.8

The petitioner alleges that the private respondent has raised a construction by encroaching upon the National Highway running adjacent to the property of the petitioner. The petitioner submitted a representation before various authorities including the District Magistrate, Purba Medinipore by a letter dated 2nd July, 2025.

The learned advocate appearing for the petitioner submits that in spite of receipt of such representation no steps have been taken by the said respondent authority till date.

Mr. Bhattacharya, learned advocate appearing for the private respondent denies the allegation of the private respondent. He submits that the private respondent has not made any construction by encroaching upon any portion of the National Highway.

The learned advocate appearing for the National Highway Authority submits that the District Magistrate is the appropriate authority to take a decision with regard to removal of encroachment from the National Highway.

Mr. Bhattacharjee, learned senior standing counsel represents the District Magistrate. He submits that the decision on the representation dated 2nd July, 2025 shall be taken and communicated to the parties within the time limit as stipulated by this Court.

Without entering into the merits of the claim made by the petitioner in the representation dated 2nd July, 2025, WPA 16777 of 2025 stands disposed of by directing the District Magistrate, Purba Medinipore to consider the representation of the petitioner dated 2nd July, 2025 and pass a reasoned order after affording an opportunity of hearing to the petitioner, the private respondent and any other person who may be affected by such decision and communicate the reasoned order to the petitioner, the private respondent and any other affected party as expeditiously as possible but positively within a period of ten weeks from the receipt of a server copy of this order

along with a copy of the representation dated 2nd July, 2025.

There shall be however no order as to costs.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Hiranmay Bhattacharyya, J.)