

Sl. 100  
11.06.2026  
Court No.19  
BP

WPA 18642 of 2025

Abu Sufian  
-versus-  
The State of West Bengal & Ors.

Mr. Partha Pratim Roy  
Ms. Poulami Chakraborty  
Mr. Samrat Chakraborty  
..for the petitioner

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

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

The petitioner claims to be the owner of a plot of land being Dag No. 378/3143 within Mouza Kasba under Police Station Bhagwangola in the District of Murshidabad. The petitioner states that the PWD road is running adjacent to the aforesaid property of the petitioner. The petitioner alleges that the private respondent has made an unauthorized construction by encroaching upon a portion of the PWD road just in front of the aforesaid property of the petitioner. The petitioner submitted a representation before various authorities including the Assistant Engineer, Public Works Department, Lalbagh Sub-Division by a letter dated 9<sup>th</sup> July, 2025.

Mr. Roy, 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 such encroachment from the PWD road.

Mr. Bhattacharjee, learned senior standing counsel submits that necessary steps in accordance with the relevant provisions of the statute shall be taken to remove the encroachment from the PWD road, if any encroachment is found.

Without entering into the merits of the claim made by the petitioner in the representation dated 9<sup>th</sup> July, 2025, WPA 18642 of 2025 stands disposed of by directing the Assistant Engineer, Public Works Department, Lalbagh Sub-Division being the 4<sup>th</sup> respondent to consider the representation of the petitioner dated 9<sup>th</sup> July, 2025 and after causing necessary enquiries and demarcation by engaging competent Amins/surveyors upon prior service of notice to the petitioner, the private respondent and any other person who may be affected by such demarcation and upon such demarcation if it is found there has been any encroachment upon the PWD road, necessary proceeding in accordance with the provisions of Section 10 of the West Bengal Highways Act, 1964 shall be initiated and the entire exercise shall be completed 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 9<sup>th</sup> July, 2025.

Needless to mention that if the authorities arrive 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 aforesaid time limit.

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.)**