

M/L- 204
25/02/2026
Ct. No.-19
Aritra

WPA 20537 of 2025
Tapan Samanta & Anr.
Vs.
The State of West Bengal & Ors.

Mr. Tarak Nath Sarkar

....for the petitioners

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

The learned advocate appearing for the petitioners submits that the State and the private respondent have been duly served.

However, in spite of service none appears on behalf of the State and the private respondent.

The petitioners claim to be the lawful owners of LR plot no. 1995, in the District of Paschim Medinipur. The petitioners state that Ghatal-Panskura Sub-Highway is running adjacent to the aforesaid property of the petitioners. The petitioners allege that the private respondent has raised an unauthorized 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 dated August 1, 2025 before respondent authorities requesting them to remove the unauthorized encroachment upon the PWD road.

The learned Counsel appearing for the petitioners 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 till date.

Since a representation alleging encroachment upon the PWD road has been made, it is the duty of the respondent authorities to take necessary steps in accordance with law if any encroachment upon the PWD road is found.

In the light of the submissions made by the learned advocate for the petitioners and without entering into the merits of the claim made by the petitioners in the representation dated August 1, 2025, WPA 20537 of 2025, stands disposed of by directing the Assistant Engineer, Ghatal-Panskura Highway, Sub-Division PWD (Roads) Directorate, Paschim Medinipur, being the respondent no.9, to consider the representation of the petitioner dated August 1, 2025 and after conducting necessary enquiries and demarcation of the plot in question through competent Amins/Surveyors, upon prior notice to the petitioners, private respondents and any other party/parties who may be affected, if any encroachment upon the PWD road is found, necessary proceeding in accordance with relevant provisions of the West Bengal Highways Act, 1964 shall be initiated and the entire exercise under the said statute shall be completed as expeditiously as possible but positively within a period of

12 weeks from the date of receipt of a server copy of this order along with a copy of the representation dated August 1, 2025.

Needless to mention that if it is found that there has been no encroachment upon the PWD road, such decision shall also be communicated by the respondent No.9 to the petitioners 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.)