

Court No. 19
(265719)

15.06.2026
(A 126)
(S. Banerjee)

WPA 20738 of 2025

Sudarsan Bhunia & Ors.
Vs.
State of West Bengal & Ors.

Mr. Debasis Sur
Ms. Rekha Dey

...for the petitioners

Mr. Nilanjan Bhattacharjee, Sr. Advocate
Ms. Jayita Dhar Chakraborty

...for the State

Petitioners claim to be the owner of Dag No. 1860 within Mouza – Khukurdaha, JL No. 150 under Daspur Police Station in the district of Paschim Medinipur. They allege that the private-respondents have constructed a *Chala Ghar* on the land belonging to the PWD (Roads), Government of West Bengal. Petitioners submitted a representation before the Executive Engineer PWD (Roads), at Midnapore by a letter dated June 5, 2025 requesting such authority to remove encroachment from the PWD land. Petitioners submit that in spite of receipt of such representation, no steps have been taken by the respondent authorities to remove the construction from the land belonging to the PWD (Roads), Government of West Bengal.

Mr. Bhattacharjee, learned Sr. Standing Counsel appearing for the State submits that necessary steps in accordance with law shall be taken

if any encroachment upon the PWD (Roads) land is found.

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

Learned advocate appearing for the petitioners submits that the private-respondents have been duly served.

In spite of service none appears for the private-respondents.

Since an allegation of encroachment upon PWD (Roads) land has been made, it is the duty of the authorities to take steps in accordance with law if any encroachment upon the same is found.

In the light of the submission made by the learned advocates appearing for the respective parties and without entering into the merits of the claim of the petitioners made in the representation, this writ petition stands disposed of by directing the Executive Engineer, PWD (Roads) at Midnapore, being the 2nd respondent, to forward the copy of the representation dated June 5, 2026 to the Assistant Engineer, Ghatal Panskura State Highway Sub Division, PWD (Roads) Directorate, being the 3rd respondent and the 3rd respondent, immediately upon receipt of such representation shall cause an enquiry and demarcation of the land in question upon engaging

competent Amin/Surveyor upon prior service of notice to the petitioners, the private-respondents and any other person who may be affected by such demarcation and upon such demarcation if it is found that any portion of the land belonging to the PWD (Roads) has been encroached upon, a proceeding under the relevant provisions of the statute for removal of encroachment shall be initiated and the entire exercise shall be completed as expeditiously as possible but positively within a period of 12 weeks from receipt of a server copy of this order along with a copy of the said representation.

Needless to mention that if the authorities arrive at a conclusion that there has been no encroachment upon the land belonging to PWD (Roads), such decision shall also be communicated to the parties within the time as mentioned hereinabove.

(Hiranmay Bhattacharyya, J.)