

A. 149
09.04.2026
Court No.19
BP

WPA 20711 of 2025

Tapas Kumar Samanta
-versus-
The State of West Bengal & Ors.

Mr. Satyendra Agarwal
Mr. Bijoy Bag
Ms. Sonali Gupta
..for the petitioner

Mr. Joydip Banerjee
Mr. Raja Ram Banerjee
..for the State

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

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

In spite of service none appears for the private respondents.

The petitioner claims to be the recorded owner of a plot of land being L.R. Plot No. 342 within Mouza Daspur, J.L. No.60 in the District of Paschim Medinipur. The petitioner states that there is a PWD road running adjacent to the aforesaid property of the petitioner. The petitioner alleges that the private respondents have erected a construction by encroaching upon a portion of the PWD road thereby

causing obstruction to the ingress and egress of the petitioner from his property to the PWD road.

The petitioner submitted a representation before the various authorities including the Assistant Engineer, Public Works (Roads) Directorate dated 11th August, 2025.

The learned advocate appearing for the petitioner submits that in spite of receipt of such representation no steps have been taken by the respondent authority to remove the encroachment from the PWD road.

The learned advocate appearing for the State submits that necessary steps in accordance with law shall be taken if any encroachment upon the PWD road is found.

Without entering into the merits of the claim made by the petitioner in the representation dated 11th August, 2025, WPA 20711 of 2025 stands disposed of by the directing the Assistant Engineer, Ghatal-Panskura Highway Sub-Division, Public Works (Roads) Directorate being the 8th respondent to consider the representation of the petitioner dated 11th August, 2025 and after causing necessary enquires and demarcation by engaging competent Amins/surveyors upon prior service of notice to the petitioner, the private respondents and any other person who may be affected by such demarcation and upon such demarcation if any encroachment upon the PWD road is found necessary proceeding in accordance with the relevant provision shall be initiated and the entire

exercise under the said provision shall be completed as expeditiously as possible but positively within a period of four months from the receipt of a server copy of this order along with a copy of the representation dated 11th August, 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 within the time limit mentioned hereinbefore.

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.)