

A. 136
15.06.2026
Court No.19
BP

WPA 21061 of 2025

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

Mr. Raj Kumar Sain
Ms. H. Jana
..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 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 owner of a plot of land being L.R. Dag No. 2714 within Mouza Keshabpur Jalpai, Khatian No. 4684, J.L. No. 133 under Police Station Mahishadal in the District of Purba Medinipur. The petitioner states that adjacent to the aforesaid property of the petitioner there is a road side land belonging to the Public Works Department of the Government of West Bengal. The petitioner alleges that the private respondents have constructed an illegal structure by encroaching upon the road side PWD land

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 Executive Engineer, Public Works Department Tamluk by a letter dated 24th June, 2025 praying for removal of encroachment from the PWD land.

The 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 the encroachment from the PWD land.

Mr. Bhattacharjee, learned senior standing counsel submits that necessary steps in accordance with law shall be taken if any encroachment upon the PWD land is found.

Without entering into the merits of the allegations contained in the representation dated 24th June, 2025, WPA 21061 of 2025 stands disposed of by directing the Assistant Engineer, Haldia Construction Sub-Division-I, Public Works Department, Durgachak, Purba Medinipur being the 5th respondent to consider the representation of the petitioner dated 24th June, 2025 and after causing necessary enquiries 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 it is found that any portion of the PWD land has been encroached upon, a proceeding

under the relevant statute shall be initiated for removal of encroachment 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 24th June, 2025.

Needless to mention that if the authorities arrive at a conclusion that there has been no encroachment upon the PWD land such decision shall also be communicated to the petitioner and others within the time limit as 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.)