

M/L-176
20/04/2026
Ct. No.-19
Aritra

WPA 21518 of 2025
Swapan Kumar Das
Vs.
The State of West Bengal & Ors.

Mr. Koushik Dey
Mr. Dip Jyoti Chakraborty
Mr. Chitrak Biswas

....for the petitioner

Mr. Lalit Mohan Mahata, AGP
Mr. Himadri Kr. Mahata

....for the State

With the consent of the learned advocates for the respective parties this writ petition is taken up for hearing by treating the same as on the day's list.

The petitioner has challenged a notice dated August 28, 2025 issued by the Assistant Engineer, Kakdwip Highway Sub-Division, Public Works (Roads) Directorate directing the encroachers including the petitioner to remove the encroachment from the PWD road.

Mr. Dey, learned advocate appearing for the petitioner submits that the petitioner preferred an appeal under Section 10(4) of the West Bengal Highways Act, 1964 challenging an order passed under Section 10(3) of the said Act. He submits that during the pendency of the appeal filed under Section 10(4) of the 1964 Act, the respondent authorities were trying to implement the order under Section 10(3) of the 1964 Act, for which the writ petition was filed.

Mr. Dey, learned advocate for the petitioner, in his usual fairness, submits in the meantime the appeal filed by the petitioner under Section 10(4) of the 1964 Act has

been dismissed by an order dated September 16, 2025 and the said order was communicated to the petitioner vide memo dated March 13, 2026. He submits that such order is under challenge in a subsequent writ petition filed by the petitioner being WPA 7665 of 2026.

Thus, it appears that due to passage of time the writ petition being WPA 21518 of 2025 has become infructuous and the same stands disposed of accordingly.

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.)