

D/L- 11
20/03/2026
Ct. No.-19
Aritra

WPA 22140 of 2025

**Saifuddin Sk. @ Md. Saifuddin Sk.
Vs.
The State of West Bengal & Ors.**

Mr. Prosenjit Mukherjee
Ms. Babita Pramanik

....for the petitioner

Mr. Dwarika Nath Mukherjee
Mr. Manik Lal De

....for the State

The petitioner claims to be the owner of L.R. Plot No.649, Khatian No.1355 within Mouza-Shibrampur, J.L. No.57 under Police Station-Paikarin the District of Birbhum.

The petitioner states that in front of the aforesaid property of the petitioner a PWD road on L.R. Plot No.631 has been constructed which is popularly known as Basloi to Bhimpur PWD State Highway. The petitioner alleges that the private respondents herein have started illegal and unauthorised construction on the PWD road being L.R. Plot No.631 thereby obstructing the ingress and egress of the petitioner from his property to the PWD road.

The petitioner submitted a representation dated August 28, 2025 before various authorities including the Assistant Engineer, Public Works Department (Roads), Rampurhat Highway Sub-Division, Rampurhat.

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 till date. He further submits that the suit being Title Suit No.275 of 2025, which was filed by the petitioner herein has been disposed of as withdrawn on February 16, 2026. He files a copy of the information slip, which is taken on record.

A copy of the information slip has been supplied to the learned advocate for the State in course of hearing of this writ petition.

None appears for the private respondents.

It appears from the information slip that the Title Suit No.275 of 2025 filed by the petitioner herein has been withdrawn.

The petitioner has alleged encroachment upon the State Highway. Thus the respondent authorities are duty bound to consider such allegation and take steps in accordance with law, if any encroachment upon the PWD road is found.

In the light of the submission made by the learned advocates for the respective parties and without entering into the merits of the claim made by the petitioner in the representation dated August 28, 2025, WPA 22140 of 2025 stands disposed of by directing the Assistant Engineer, Public Works Department (Roads), Rampurhat Highway Sub-Division, Rampurhat being the respondent No.3 to consider the representation of the petitioner dated August 28, 2025 and after causing necessary enquiries

and demarcation through competent Amin/Surveyor upon prior service of notice to the petitioner, the private respondents and any other persons, who may be affected by such demarcation and if upon such demarcation any encroachment upon the PWD road is found, necessary proceedings in accordance with the relevant statute shall be initiated by the respondent No.3 and the entire exercise shall be completed by such respondent authority 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 28, 2025.

Needless to mention that if there has been no encroachment upon the PWD road, such decision shall also be communicated to the petitioner and others 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.)