

Court No. 19
(265719)

24.06.2026

(A 175)

(S. Banerjee)

WPA 22422 of 2025

Mohiuddin Molla & Ors.

Vs.

The State of West Bengal & Ors.

Mr. Gazi Faruque Hossain
Mr. Rakib Hossain Khan
Ms. Varsha Roy

...for the petitioners

Mr. Nilanjan Bhattacharjee, SSC
Ms. Jayita Dhar Chakraborty
Mr. Rhitam Chatterjee

...for the State

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.

Petitioners claim to be the owner of a plot of
land being LR Dag No. 74 within Mouza – Mathbari
Abad, JL No. 1 under Nazat Police Station in the
district of North 24 Parganas. Petitioners state that
there is a PWD road running adjacent to the aforesaid
property of the petitioners. Petitioners allege that the
private-respondents have raised a construction by
encroaching upon the PWD road thereby causing
obstruction to the ingress and egress of the

petitioners from their property to the PWD road. Petitioners submitted a representation before the Assistant Engineer, Canning Highway Sub-Division, PWD(Roads), No. 1 Dighirpar, Canning Town, by a letter dated August 20, 2025 requesting the said respondent authority to remove the encroachment from the PWD road.

Learned advocate appearing for the petitioners submits that in spite of receipt of such representation, no steps have been taken by the said respondent to remove the encroachment from the PWD road.

Mr. Bhattacharjee, SSC, 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 petitioners in their representation dated August 20, 2025, this writ petition stands disposed of by directing the Assistant Engineer, Canning Highway Sub-Division, PWD(Roads), No. 1 Dighirpar, Canning Town, being the 5th respondent herein, to consider the representation of the petitioners dated August 20, 2025 and after causing necessary enquiry and demarcation through a 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

demarcation if any encroachment upon the PWD road is found, a proceeding under the relevant statute shall be initiated and the entire exercise shall be completed as expeditiously as possible but positively within a period of 10 weeks from the receipt of a server copy of this order together with a copy of the representation dated August 20, 2025.

Needless to mention that if upon enquiry it is found that there is no encroachment upon the PWD road, such finding shall also be communicated to the parties with the time limit as stipulated hereinbefore.

(Hiranmay Bhattacharyya, J.)