

A-187
24.06.2026
Court No.19
BP

WPA 22960 of 2025

Md. Abdul Gaffer Ali
-versus-
The State of West Bengal & Ors.

Mr. Muhammad Obaid
..for the petitioner

Mr. Nilanjan Bhattacharjee, Sr. Standing Counsel
Ms. Jayita Dhar Chakraborty
Mr. Rhitam Banerjee
..for the State

The petitioner claims to be the owner of a plot of land being L.R. Dag No. 1086 within Mouza Faldi, J.L. No. 125 under Duttapukur Police Station in the District of 24 Parganas (North). 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 raised an unauthorised construction by encroaching upon 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 dated 21st August, 2025 before the Executive Engineer, Barasat Highway Sub-Division, Public Works (Roads) Directorate, Barasat.

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.

Mr. Bhattacharjee, learned senior standing counsel submits that no representation has been submitted before the Assistant Engineer, Barasat Highway Sub-Division to take a decision on the issue regarding removal of encroachment from the PWD road.

Without entering into the merits of the claim made by the petitioner in the representation dated 21st August, 2025, WPA 22960 of 2025 stands disposed of by directing the Executive Engineer, Barasat Highway Division II, Public Works (Roads) Directorate, Barasat being the 7th respondent to forward a copy of the representation dated 21st August, 2025 to the Assistant Engineer, Barasat Highway Sub-Division, Public Works (Roads) Directorate, Barasat being the 6th respondent within a period of two weeks from the receipt of a server copy of this order along with a copy of the representation dated 21st August, 2025. Immediately upon receipt of a copy of the representation dated 21st August, 2025, the Assistant Engineer, Barasat Highway Sub-Division, Public Works (Roads) Directorate, Barasat being the 6th respondent shall consider the same and after causing necessary enquiries and demarcation by engaging competent Amins/surveyors upon prior service of notice to the petitioner, the private respondent and any other person who may be affected by such demarcation and upon such demarcation if it is found that there has

been any encroachment upon the PWD road, necessary 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 ten weeks from the receipt of a copy of the representation from the respondent no.7.

Needless to mention that in case 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 and other within the aforesaid time limit.

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.)