

Court No. 19
(265719)

25.06.2026

(A 202)

(S. Banerjee)

WPA 23576 of 2025

Sk. Rajib

Vs.

The Union of India & Ors.

Mr. Raj Kumar Sain

...for the petitioner

Mr. Dipankar Das

...for the respondent nos. 2 and 3

Mr. Nilanjan Bhattacharjee, SSC

Ms. Jayita Dhar Chakraborty

...for the respondent nos. 4 to 7

Affidavit of service filed in Court today, is taken
on record.

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 recorded owner
of LR Plot No. 921 within Mouza – Irkha, JL NO. 32
under Nandakumar Police station in the district of
Purba Medinipur. Petitioner states that National
Highway No. 116 from Mecheda to Haldia, is running
adjacent to the aforesaid property of the petitioner.
Petitioner alleges that the private-respondents have
encroached upon the National Highway thereby
causing obstruction to the ingress and egress of the

petitioner from his property to the National Highway. Petitioner submitted a representation before the District Magistrate and Collector, Purba Medinipur praying for removal of unauthorized construction from the National Highway.

Learned advocate appearing for the petitioner submits that in spite of receipt of such representation no steps have been taken by the respondent authority to remove such encroachment from the National Highway.

Learned advocate appearing for the NHAI submits that the District Magistrate is the appropriate authority to take a decision on the issue of removal of encroachment from the National Highway.

Mr. Bhattacharjee, SSC, submits that the decision on the representation of the petitioner shall be taken within the time limit as may be specified by this Court.

Without entering into the merits of the claim made by the petitioner in the representation dated August 26, 2025, this writ petition stands disposed of by directing the District Magistrate and Collector, Purba Medinipur, being the 4th respondent, to consider the representation of the petitioner dated August 26, 2025 and after causing necessary enquiry

and demarcation if any encroachment upon the National Highway is found, to pass a reasoned order after affording an opportunity of hearing to the petitioner, the private-respondents and any other person who may be affected by such decision and communicate the reasoned order to the petitioner and others immediate thereafter. The entire exercise shall be completed by the said respondent as expeditiously as possible but positively within a period of six weeks from the receipt of a copy of a server copy of this order along with a copy of the aforesaid representation.

(Hiranmay Bhattacharyya, J.)