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Ct. 19

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WPA 23703 of 2025

Atibur Mondal
Versus
The State of West Bengal & Ors.

Mr. Atis Kumar Biswas
Mrs. Jyoti Agarwal
...for the petitioner

Mr. Sudhadeb Adak
Ms. Sanchayita De
...for the State

Mr. Abhimanyu Banerjee
Mr. Arnab Saha
...for the Respondent nos.16-18

Affidavit of service filed in Court is taken on record.

The petitioner claims to be recorded owner of Dag
No. 193, Khatian NO. 10723, JL no. 6, within Mouza Uttar
Hazrapota, under Police Station Kaliganj in the District of
Nadia.

The petitioner states that the private respondents
have raised an unauthorized 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 claims to have submitted a representation
before various authorities including the Assistant Engineer,
Public Works (Roads) Directorate, Plassey Highway Sub-
Division, Nadia.

The learned Counsel appearing for the petitioner
submits that after filing of the writ petition, the petitioner has
been informed that the demarcation has been carried out.

Mr. Adak, learned Advocate appearing for the State
files the statement of facts prepared by the Assistant
Engineer, Public Works (Roads) Directorate, Plassey

Highway Sub-Division, Nadia. He submits that pursuant to the complaint lodged by the petitioner, demarcation has been carried out and it has been detected that there has been some encroachment which has been indicated in the sketch map.

The learned Counsel appearing for the private respondents denies the allegations of the petitioner. He submits that the private respondents have not encroached upon any portion of the government land.

Since after demarcation it is found that there has been encroachment upon the PWD road, it is the duty of the respondent authorities to initiate appropriate proceedings in accordance with law and to see that the same is taken to its logical conclusion expeditiously.

In the light of the submissions made by the learned Advocates for the respective parties, WPA 23703 of 2025 stands disposed of by directing the Assistant Engineer, Public Works (Roads) Directorate, Plassey Highway Sub-Division, Nadia, being the respondent no.14, to initiate appropriate proceedings in accordance with law for removal of the encroachment which has been detected and shown in the sketch map.

The entire exercise shall be completed by the said respondent as expeditiously as possible but positively within a period of eight weeks from the date of receipt of a server copy of this order.

The respondent no.14 shall take steps after giving notice to the respective parties and in accordance with law.

Urgent photostat certified copy of this order, if

applied for, be supplied to the parties upon compliance of all requisite formalities.

(Hiranmay Bhattacharyya, J.)