

Court No. 19

(265719)

**07.01.2026**

(AD 16)

(S. Banerjee)

WPA 27437 of 2025

Vilayat Danish Qureshi

Vs.

The State of West Bengal & Ors.

Mr. Amar Nath Sen

Mr. Shouvik Naskar

...for the petitioner

Mr. Lalit Mohan Mahata, Ld. AGP

Mr. Ziaul Haque

...for the State

Ms. Rashmi Bothra

...for the Union of India

The petitioner claims to be running and operating a shop room styled as 'Aminia Meat Shop' at 522C, Diamond Harbour Road, Ward No. 130, Kolkata Municipal Corporation, Kolkata – 700 034. The petitioner states that in front of the aforesaid shop of the petitioner the private respondent has made an unauthorized construction of a tea stall encroaching upon the PWD road by obstructing the ingress and egress of the petitioner from his shop to the PWD road. The petitioner claims to have submitted a representation before the respondent authorities by a letter dated September 1, 2025.

Learned advocate appearing for the petitioner submits that no decision on such representation has been taken by the respondent authorities in spite of receipt of the same.

Mr. Mahata, learned Addl. Govt. Pleader, submits that steps in accordance with law shall be taken if an encroachment upon the PWD road is found.

In the light of the submission made by the learned advocates for the respective parties, this writ petition stands disposed of by directing the Assistant Engineer, Diamond Harbour Highway Division, Public Works Department (Roads), Puratan Bazar, Dakshin Hazipur, Diamond Harbour, Pin – 743 331, being the respondent no. 6 herein, to consider the representation of the petitioner dated September 1, 2025 and after making necessary enquiry and demarcation if any encroachment upon the PWD road is found, steps in accordance with Section 10 of the West Bengal Highways Act, 1964 shall be initiated. The entire exercise shall be completed by the said respondent as expeditiously as possible but positively within a period of six weeks from the date of receipt of a server copy of this order along with the representation dated September 1, 2025. In case it is

found that there has been no encroachment upon the PWD road, such decision shall be communicated to the petitioner within the time limit as mentioned hereinbefore.

**(Hiranmay Bhattacharyya, J.)**