

Item-
ML-
35.

Ct. 19

sg

15-01-2026

WPA 27600 of 2025

Abdul Satter & Anr.
Versus
The State of West Bengal & Ors.

Mr. Salil Kumar Maiti
Ms. Dolan Samanta
...for the petitioners
Ms. Sharmila Datta Das
Mr. Jahangir Hossain
...for the State

Affidavit of service filed in Court is taken on record.

The petitioners claim to be the owner of LR Plot No. 1178, within Mouza Mumarrara, JL No. 118, under Police Station Nandakumar, in the District of Purba Midnapore. The petitioner states that a PWD road from Panskura to Durgachak is running adjacent to the aforesaid property of the petitioners. The petitioners further submit that the private respondents herein have made a construction by encroaching upon the PWD road which is in front of the property of the petitioners thereby causing obstruction to the ingress and egress of the petitioners from their property to the PWD road. The petitioners submitted a representation dated 8th October, 2025 before the various authorities including the Assistant Engineer, Tamluk Highway Sub-Division, Public Works (Roads) Directorate, being the respondent no.3.

The learned Counsel for the petitioners submits that the in spite of receipt of such representation, no steps have been taken by the respondent authorities till date.

Since the allegation of encroachment has been made, it is the duty of the respondent authorities to take step in

accordance with law.

In the light of the submissions made by the respective parties, WPA 27600 of 2025, stands disposed of by directing the Assistant Engineer, Tamluk Highway Sub-Division, Public Works (Roads) Directorate, Purba Midnapore, being the third respondent, to consider the representation of the petitioner dated 8th October, 2025 and after making necessary enquiries and demarcation, if any encroachment upon the PWD road is found, necessary steps in accordance with provisions of Section 10 of the National Highways Act, 1964 shall be taken and the entire exercise under the said provision shall be completed 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 a copy of the representation dated October 8, 2025.

In case it is found that there has been no encroachment upon the PWD road, such decision shall also be communicated by the third respondent to the petitioners within the time limit as indicated hereinbefore.

The writ petition is disposed of.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Hiranmay Bhattacharyya, J.)