

M/L- 8
02/02/2026
Ct. No.-19
Aritra

WPA 28039 of 2025

**Piarul Islam
Vs.
The State of West Bengal & Ors.**

Mr. Sarbananda Sanyal
Mr. Hamidur Rehman
Mr. Saikat Gayen

....for the petitioner

Mr. Rajendra Chaturvedi
Mr. Abhijit Ghosh

....for the State

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

The petitioner claims to be the owner of Plot No.422 within Mouza-Babultali, J.L. No.83 under Raninagar-II Block under Police Station-Raninagar in the District of Murshidabad.

The petitioner states that pursuant to a complaint lodged by the petitioner for removal of encroachment upon the PWD road, the same was ultimately removed pursuant to an order passed by this Hon'ble Court.

The petitioner alleges that thereafter the plot of land in front of the petitioner's property has been converted into a pond thereby obstructing the ingress and egress of the petitioner from his property to the PWD road.

Mr. Sanyal, learned advocate appearing for the petitioner submits that the petitioner has submitted several representations before the respondent authorities

praying for permission to allow the petitioner to use the vacant land for the purpose of ingress and egress. He submits that the authorities have not taken any decision on such representation.

Mr. Chaturvedi, learned advocate appearing for the State disputes the submission of Mr. Sanyal. He submits that there is Nayanjuli in front of the property of the petitioner and the petitioner was found to be filling up the said Nayanjuli by dumping soil on the same. He submits that immediately after it came to the notice of the Officer-in-Charge, Police Station, that the petitioner dumping soil on the Nayanjuli he was prevented from doing such illegal act.

Since the petitioner has submitted a representation, praying for permission to allow the petitioner to use a vacant land, it is the duty of the respondent authorities to communicate its decision on such representation.

Without entering into the merits of the claim made by the petitioner in the representation dated September 9, 2025, WPA 28039 of 2025 stands disposed of by directing the Assistant Engineer-III, Berhampore Division-II, Public Works Directorate, Berhampore, being the respondent No.5, to consider the representation of the petitioner dated September 9, 2025 and to dispose of the same by passing a reasoned order after giving an opportunity of hearing to the petitioner or his authorised representative and communicate the reasoned order to the petitioner as

expeditiously as possible but positively within a period of 8 weeks from the date of receipt of a server copy of this order along with a copy of the representation dated September 9, 2025.

There will be no order as to costs.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Hiranmay Bhattacharyya, J.)