

Item-
4. 07-01-2026

WPA 28854 of 2025

sg Ct. 19

Ganesh Jana & Ors.
Versus
State of West Bengal & Ors.

Mr. Raj Kr. Sain
Mr. Avijit Roy

...for the petitioner

Mr. Susnigdho Bhattacharyya

... for the respondents

Mr. Tanmoy Kumar Ghosh

Mr. Nilofer Siddiqui Alam

...for the State

Affidavit of service filed in Court is taken on record.

The petitioners claim to be recorded owners of LR plot no. 1049, JL No. 87, within Mouza Jamburbasan, under Police Station Nandakumar, in the District of Purba Medinipur. The petitioners state that a PWD road is lying and situated just adjacent to the aforesaid property of the petitioners. The petitioners allege that the private respondents have raised a construction by encroaching upon the PWD road just 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 before the respondent authorities dated October 10, 2025.

Heard the learned Advocate for the private respondents.

The learned Advocate appearing for the State submits that necessary steps shall be taken if any encroachment upon the PWD road is found.

Since an allegation of encroachment has been made,

it is the duty of the respondent authorities to consider such representation and to take necessary steps in the event it is found that the PWD road or any portion thereof has been encroached.

In the light of the submissions made by the respective parties, the writ petition being, WPA 28854 of 2025, stands disposed of by directing the Assistant Engineer, Haldia Highway Sub-Division, Public Works (Roads) Directorate, Purba Medinipur, being the fifth respondent, to consider the representation of the petitioner dated October 10, 2025 and after making necessary enquiries and demarcation of the plot in question, 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 initiated and the entire exercise under the said provision 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 a copy of the representation dated October 10, 2025.

Needless to mention that if it is found that there has been no encroachment upon the PWD road, such decision shall also be communicated by the fifth respondent to the petitioner within the time limit as indicated hereinbefore.

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

(Hiranmay Bhattacharyya, J.)