

Sl.12
06.01.2026
Court No.19
BP

WPA 29072 of 2025

Kamal Hoque & Anr.
-versus-
The State of West Bengal & Ors.

Mr. Md. Yusuf Ali
..for the petitioners

Mr. Ayan Roy
Mr. Tulsidas Roy
..for the State

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

The learned advocate appearing for the petitioners submits that the private respondents have been duly served.

In spite of service none appears for the private respondents.

The petitioners claim to be the owner of Plot No. 231 under Khatina Nos. 3809, 4499 within Mouza Durgapur, J.L. No. 20 under Police Station Raninagar in the District of Murshidabad. The petitioners state that Akhriganj-Katlamari PWD road runs on the adjacent Northern Side of the property of the petitioners. The petitioners allege that the private respondents have constructed two houses by encroaching upon the PWD road just in front of the property of the petitioners thereby obstructing the free ingress and egress of the petitioners

from their property to the PWD road. The petitioners submitted a representation dated October 27, 2025 before the Assistant Engineer, Public Works (Roads) Directorate, Islampur Highway Sub-Division.

The learned advocate appearing for the petitioners submits that no decision on such representation has been communicated to the petitioners till date.

Heard the learned advocate for the State on such submission.

Since the petitioners have submitted a representation alleging encroachment upon the PWD road, it is the duty of the respondent authority to take necessary steps in the event any encroachment is found upon the PWD road.

In view thereof, WPA 29072 of 2025 stands disposed of by directing the Assistant Engineer, Public Works (Roads) Directorate, Islampur Highway Sub-Division, Murshidabad being the 4th respondent to consider the representation of the petitioners dated October 27, 2025 and after making necessary enquiries in that regard, if any encroachment upon the PWD road is found to take necessary steps by initiating proceeding under Section 10 of the West Bengal Highways Act, 1964 and to conclude the entire exercise under the said provision 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 27th October, 2025.

There shall be however no order as to costs.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Hiranmay Bhattacharyya, J.)