

Sl.8  
14.01.2026  
Court No.19  
BP

WPA 29226 of 2025

Arun Kumar Bera  
-versus-  
The State of West Bengal & Ors.

Mr. Kamal Mishra  
..for the petitioner

Mr. Wasim Ahmed  
Mr. Debasish Bhattacharya  
..for the State

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

Mr. Mishra, learned advocate appearing for the  
petitioner submits that the private respondents have been  
duly served.

In spite of service none appears for the private  
respondents.

The petitioner claims to be the owner of a plot of  
land being Dag No. 1227/2869, J.L. No. 154 within  
Mouza Bajkal under Police Station Bhupatinagar in the  
District of Purba Medinipur. The petitioner states that the  
PWD road is running adjacent to the aforesaid property of  
the petitioner. The petitioner alleges that the private  
respondents have erected a construction by encroaching  
upon the PWD road just in front of the aforesaid property  
of the petitioner thereby obstructing the ingress and  
egress of the petitioner from his property to the PWD  
road. The petitioner submitted a representation dated  
September 24, 2025 before various authorities including

the Assistant Engineer, Tamluk Highway Division, Public Work (Roads) Directorate, Tamluk.

Mr. Mishra, learned advocate appearing for the petitioner submits that in spite of receipt of such representation no steps have been taken by such authority to remove the encroachment from the PWD road.

The learned advocate appearing for the State submits that necessary steps for removal of encroachment shall be taken if it is found that there has been encroachment upon the PWD road.

In the light of the submissions made by the learned advocates for the respective parties, WPA 29226 of 2025 stands disposed of by directing the Assistant Engineer, Tamluk Highway Division, Public Works (Roads) Directorate, Tamluk being the 4<sup>th</sup> respondent to consider the representation of the petitioner dated September 24, 2025 and after making necessary enquiries and demarcation through the competent authority, 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 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 the copy of the representation dated 24<sup>th</sup> September, 2025 which is annexed at page 26 of the writ petition. In the

event the said respondent is of the view that there has been no encroachment such decision shall also be communicated to the petitioner within the aforesaid time frame.

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.)**