

SL. 11
08.04.2026
Court No.19
BP

WPA 6784 of 2026

Ashutosh Sahoo
-versus-
The State of West Bengal & Ors.

Mr. Debdip Mondal
Mr. Subhadeep Maitra
Ms. Swati Mandal
..for the petitioner

Mr. Lalit Mohan Mahata, AGP
Mr. Rudranil De
..for the State

The petitioner claims to be the recorded owner of a plot of land being L.R. Plot No. 1225/642 within Mouza Kamalpur, J.L. No.25 in the District of 24 Parganas (South). The petitioner states that the PWD road from Gangasagar to Kachubaria is running adjacent to the aforesaid property of the petitioner. The petitioner alleges that the private respondents have raised an unauthorised construction by encroaching upon a portion of the PWD road thereby causing obstruction to the ingress and egress of the petitioner from his property to the PWD road.

The petitioner submitted a representation before the Assistant Engineer, Kakdwip Highway Division, Public Works (Roads) Directorate dated 26th February, 2026 requesting the said authority to take steps to remove the encroachment from the PWD road.

The learned advocate appearing for the petitioner submits that in spite of receipt of such representation no steps have been taken by the respondent authority to remove the encroached from the PWD road.

Mr. Mahata, learned Additional Government Pleader submits that necessary steps in accordance with law shall be taken if any encroachment upon the PWD road is found.

Since an allegation of encroachment upon the PWD road has been made, it is duty of the respondent authority to take steps in accordance with law if any encroachment upon the same is found.

In the light of the submissions made by the learned advocates for the respective parties and without entering into the merits of the claim made by the petitioner in the representation dated 26th February, 2026, WPA 6784 of 2026 stands disposed of by the directing the Assistant Engineer, Kakdwip Highway Division, Public Works (Roads) Directorate being the 3rd respondent to consider the representation of the petitioner dated 26th February, 2026 and after causing necessary enquires and demarcation by engaging competent Amins/surveyors upon prior service of notice to the petitioner, the private respondents and any other person who may be affected by such demarcation and upon such demarcation if it is found that there has been an encroachment upon the PWD road necessary proceeding in accordance with the

relevant provisions of law shall be initiated by the Assistant Engineer, Kakdwip Highway Division, Public Works (Roads) Directorate being the 3rd respondent. The entire exercise shall be completed as expeditiously as possible but positively within a period of four months from the receipt of a server copy of this order along with a copy of the representation dated 26th February, 2026.

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.)