

Sl. 11
20.04.2026
Court No.19
BP

WPA 8464 of 2026

Fansur Rahaman
-versus-
The State of West Bengal & Ors.

Mr. Partha Pratim Roy
Mr. Sarbananda Sanyal
Mr. Samrat Chakraborty
..for the petitioner

Mr. Chandi Dharan De, Ld. Addl Govt. Pleader
Ms. Reshma Chatterjee
..for the State

Mr. Usof Ali Dewan
Mr. Asif Dewan
..for the respondent no. 7

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

The petitioner claims to be the co-sharer of plots of land being Dag Nos. 993 and 1944 within Mouza Putia under Police Station Raghunathgunj in the District of Murshidabad. The petitioner states that since the private respondent herein constructed a shop room by encroaching upon a portion of the PWD road, the petitioner approached this Hon'ble Court and pursuant to an order passed by the Co-ordinate Bench the encroachment made by the private respondent had been removed. The petitioner alleges that after such encroachment was removed, the private respondent has

again started making construction of a structure by encroaching upon the PWD road.

Mr. Sanyal, learned advocate appearing for the petitioner submits that the private respondent has attempted to construct a toilet by encroaching upon the portion of the PWD road.

Such submission is seriously disputed by Mr. Dewan, learned advocate appearing for the private respondent. He submits that the encroachment which was earlier existing on the PWD road has been removed and thereafter the private respondent has not made any construction by encroaching upon the PWD road.

The petitioner submitted a representation before the Assistant Engineer, Public Works Department by a letter dated 9th March, 2026.

Since an allegation has been made that the private respondent has again constructed by encroaching upon the PWD road, this Court directs the Assistant Engineer, Jangipur Sub-Division, Public Works Directorate being the 3rd respondent to cause an inspection of the disputed property upon prior service of notice to the petitioner, the private respondents and any other person who may be affected by such inspection and to submit a report of such inspection before this Court on the next date.

It will be open to the jurisdictional Assistant Engineer to take the assistance of any competent

Amins/surveyors for such purpose if the same is deemed necessary.

List this matter on 12th May, 2026 under the same heading. On that date the 3rd respondent shall file a report as directed hereinbefore.

(Hiranmay Bhattacharyya, J.)