

WPA 11251 of 2026

Item- 19-05-2026
7.
sg Ct. 19

Md. Akher Ali Mandal & Anr.
Versus
State of West Bengal & Ors.

Mr. Bikram Banerjee
Mr. Sagar Dey
...for the petitioners

Mr. Dhananjay Banerjee
Md. Abdur Rakib
Mr. Biswajit Sarkar
Mr. Mojahid Mehedi
...for the respondent no.10

The petitioners have challenged a notice dated 5th May, 2026 issued under Section 10(1) of the West Bengal Highway Act, 1964 directing the petitioners to remove the encroachment from the Government roadside land.

The learned Advocate appearing for the petitioners seeks an interim protection.

In view of the provisions under Section 10 of the West Bengal Highway Act, 1964, this Court finds that the petitioners have approached this Court at a premature stage. Section 10(3) of the 1964 Act contemplates an order to be passed upon considering the materials on record.

It will be open to the petitioners to raise all points at the appropriate stage.

With the aforesaid observations, this writ petition stands disposed of.

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

(Hiranmay Bhattacharyya, J.)

