

In The High Court at Calcutta

CONSTITUTIONAL WRIT JURISDICTION

(Appellate Side)

W.P.A. 15184 OF 2026

BIMAL PATRA

VS.

THE STATE OF WEST BENGAL AND OTHERS

.....

Mr. Mujibar Ali Naskar, Adv.
Mr. Sandip Kumar Mondal, Adv.
Ms. Ritika Yadav, Adv.

...For the Petitioner

Mr. Partha Chakraborty, Adv.
Ms. Riya Ballav, Adv.

...For the State

Mr. Biswajit Sau, Adv.

...For the Private Respondent

1. Affidavit-of-service filed on behalf of the petitioner is taken on record.
2. Learned advocate representing the petitioner submits that possession of the petitioner over the property in question is being disturbed by respondent no.4.
3. Prayer is made in this writ petition thereby seeking direction upon the concerned police authority which would preserve right of the petitioner over the property in question.
4. State respondents and respondent no.4 are represented by learned advocates.
5. It is submitted by the learned advocate representing respondent no.4 that a proceeding has been initiated by Assistant Engineer, Kakdwip, Highway Sub-Division PW (Roads) in terms of the order dated 12th June, 2026 passed by a co-ordinate Bench in a writ petition being WPA 11499 of 2026.

6. However, it is submitted no final order is passed as yet in the aforesaid writ proceeding. In such proceeding it is to be decided whether PWD road is encroached by any construction or not.
7. Having considered the respective submissions made on behalf of the parties, Court finds issue need not be looked into by the concerned police authority at this stage since proceeding is pending before the Assistant Engineer, Kakdwip, Highway Sub-Division PW (Roads) in terms of the order passed by a co-ordinate Bench on 12th June, 2026.
8. If petitioner has any grievance, leave is granted to the petitioner to approach the Assistant Engineer, Kakdwip, Highway Sub-Division PW (Roads) immediately.
9. With the aforesaid observation writ petition stands disposed of.
10. Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(SAUGATA BHATTACHARYYA, J.)