

Item No.
SL.25
S.D.
28.1.26

**In the High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side.**

WPA 29223 of 2025

Joydeb Kajli & Ors.

Vs.

The State of West Bengal & Ors.

Mr. Kamal Mishra For the Petitioners.

Ms. Sangeeta Roy

Mr. Saiful Alam ... For the State Respondent.

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

Learned Advocate appearing for the petitioner submits that the respondents have been duly served. In spite of service none appears for the private respondents.

State is represented by its learned Advocate.

The petitioner claims to be the owner of LR Dag No. 3511, 3523, Khatian No. 3478, 3479 and 3480 within Mouza-Gholpukuria, under the Police Station- Nandigram, District-Purba Midnapur.

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 raised an illegal construction by encroaching upon the PWD road. The petitioner further submitted that a representation dated 27th

March, 2025 before the various authorities including the Assistant Engineer, Haldia praying for removal of encroachment on the PWD road.

However, learned Advocate appearing for the petitioner submits in spite of such representation no steps have been taken by the respondent Authorities to remove the encroachment on the PWD road.

Heard the learned Advocate for the State.

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

In the light of the submissions made by the learned Advocate for the respective parties the writ petition being WPA 29223 of 2025 stands disposed of by directing the Assistant Engineer, Haldia Sub-Division, Public Works (Roads Directorate) being the fourth respondent to consider the representation of the petitioner dated March, 27, 2025 and after making necessary enquiries and demarcation through the competent officials, if any, encroachment upon the PWD road is found, necessary proceeding in accordance with Section 10 of the West Bengal High Way Act, 1964 has to be

initiated and the entire exercise shall be completed as expeditiously as possible, preferably within eight weeks from the date of receipt of the server copy of this order along with the copy of the representation dated 27th March, 2025.

(Hiranmay Bhattacharyya, J.)