
(2020) 11 CAL CK 0006
In the Calcutta High Court
Case No : WPA 2258 Of 2020

Subrata Mondal

APPELLANT

Vs

State Of West Bengal & Ors

RESPONDENT

Date of Decision : 25-11-2020

Acts Referred:

Citation : (2020) 11 CAL CK 0006

Hon'ble Judges : Thottathil B. Radhakrishnan, CJ;Arijit Banerjee, J

Bench : Division Bench

Advocate : Ranajit Chatterjee, Subhransu Panda, Aniruddha Mitra, Tapan Kr. Mukherjee, Sukla Das

Final Decision : Disposed Of

Judgement

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Heard learned counsel for the petitioner and learned Additional Government Pleader for the State.

The short grievance of the petitioner in this public interest litigation is that illegal encroachments are being made on both sides of the Moubesia

highway causing hazard to free movement and also polluting environment. Representations have been made by the petitioner to the Executive

Engineer, PWD (Road), Howrah Highway Division, being the fourth respondent herein. The petitioner submits that no action has been taken on the

basis of his complaint.

Having considered the facts and circumstances of the case and the material on record, we direct the fourth respondent to look into the petitioner's

grievance as reflected in the writ petition and take appropriate steps in the matter so that any illegal construction or encroachment on the aforesaid

highway may be removed. Before taking any action in the matter, the fourth respondent shall give an opportunity of hearing to any person who may be adversely affected by his proposed action. For this purpose, the fourth respondent will be entitled to conduct requisite enquiry and the local police will extend all cooperation and assistance to him.

Let this exercise be completed within two months from the date of receipt of a copy of this order along with a copy of the writ petition by the fourth respondent. The petitioner shall ensure service of a copy of this order and a copy of the writ petition on the fourth respondent. If the fourth respondent finds the allegations in the writ petition to be correct, then necessary consequential steps and remedial measures shall be taken by him at the earliest.

With the above direction, this writ petition is disposed of.

Since we have not called for any affidavit, the allegations contained in the writ petition are deemed not to be admitted by the respondents.