

(31)
14.10.2020
(p.jana)

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION**

(Via Video Conference)

**WPA 7054 of 2020
(IA No. CAN 1/2020)**

**Tapan Kumar Biswas
-versus-
The State of West Bengal & ors.**

Mr. Md. Sarwar Jahan,
Mr. Asraf Mandal,
... for the petitioner.

Mr. Chandi Charan De, AGP
Mr. Anirban Sarkar,
... for the State respondents.

Mr. Amitava Chaudhuri,
Mr. M. Chaudhuri,
Mr. N. Roy, ... for the respondent no. 4.

The grievance of the petitioner is that the land in question has been acquired without any valid acquisition proceeding.

Mr. Amitava Chaudhuri, learned counsel representing the respondent no. 4, refutes the contention of the learned counsel for the petitioner and submits that the construction of the road is going on without touching the petitioner's land.

Be that as it may, on perusal of the record it appears that the petitioner has given a representation to the respondent authorities on March 13, 2020 which is appearing at page 29 being Annexure P-3 to the writ petition. It further appears that the said representation has been forwarded to the respondent no.

4 and is pending before the said respondent no. 4 for consideration.

WPA 7054 of 2020 is disposed of by directing the respondent no. 4 to dispose of the said representation in accordance with law by a reasoned order within a period of six weeks from the date of communication of this order after giving all concerned parties an opportunity of being heard.

It is made clear that this Court has not gone into the merit of the claim of the petitioner.

The connected urgency application being CAN 1 of 2020 is also disposed of accordingly.

Affidavit-in-opposition since has not been invited, all the allegations made in the writ petition are deemed to have been denied by the respondents.

There shall be no order as to costs.

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

(Biswajit Basu, J.)