

WPA 8972 OF 2020
Kashinath Ray & Ors. Vs. State of West Bengal & Ors.

Mr. Debjit Mukherjee
Mrs. Susmita Chatterjee
Mr. K. Bhattacharya

.... For Petitioners

Mr. H.S. Chakraborty
Mr. Sehnaz Tarique Meena

.... For State

Petitioners' grievance is that private respondent is raising unauthorized construction.

Mr. Mukherjee, learned advocate appears on behalf of petitioners and draws attention to annexure P-3, which is representation dated 8th September, 2020 made to the Pradhan, Somoshpur (2), Gram Panchayat, Kananadi. He submits, the Pradhan replied and there should be direction upon the office to act in terms of the reply. Mr. Chakraborty, learned advocate appears on behalf of State and submits, the representation will be dealt with on a direction made. Private respondent goes unrepresented.

The writ petition was filed on proof of copies having been despatched to all respondents, tendered by affidavit of service. Two more affidavits of service were have been filed showing further despatches but track record obtained does not show confirmation of delivery. This only so far as private respondent is concerned. The situation, however,

does not lead to a presumption that petitioners have not served or deliberately tried to avoid service on private respondent.

Respondent no.4 will deal with said representation. In doing so said respondent will keep in mind the reply to the representation already given. There must be action taken on the representation within three weeks from date of communication of this order.

The writ petition is disposed of.

(ARINDAM SINHA, J.)

