

12.02.2021
Item no. 104
Aloke
Ct. no.38

(Through Video Conference)

W.P.A. 2505 of 2021

Sri Keshab Das & Anr.
Versus
The State of West Bengal & Ors.

Mr. Subhas Chandra Dutta
... for the petitioners
Mr. Soumitra Bandopadhyay
Mr. Priyabrata Batabyal
... for the State

The petitioners say that the private respondents have encroached upon Government land and have made illegal construction thereon, thereby obstructing access to the petitioners' property. The petitioners have made a representation, addressed to various officers in the Government, copy whereof is annexure P-2 to the writ petition.

Having heard learned counsel for the parties, I am of the opinion that an appropriate officer in the Government should look into the grievance of the petitioners.

Accordingly, I direct the Executive Engineer, Murshidabad Highway Division – I PW (Road), Berhampur, Murshidabad, to dispose of the representation of the petitioners by a reasoned order, in accordance with law, within a period of six weeks from the date of receipt of a copy of this order along with a copy of the writ petition, after giving an opportunity of hearing to the petitioners

and the private respondents or their authorized representatives. The decision so taken shall be communicated to the concerned parties within a week from the date of the decision. Needless to say, if the respondent no. 6 finds that the private respondents have encroached upon Government land or have made illegal construction thereon, necessary directions will be issued by him for removal of such illegal construction.

W.P.A. 2505 of 2021 is accordingly disposed of.

Since no affidavit has been called for, none of the allegations in the writ petition shall be deemed to have been admitted by the respondents.

There will be no order as to costs.

(Arijit Banerjee, J.)