

01.03.2021

ss

W.P.A. 2772 of 2021

Mundamari Ushananda Vidyapith
(Higher Secondary) School represented by
Pallab Batabyal & anr.
Vs.
State of West Bengal & Ors.

Mr. Subir Sanyal
Mr. Jayanta Das
Ms. Soumita Ghosh

... for the petitioners

Mr. Bhaskar Prasad Vaisya
Mr. Ranjan Saha

... for the State

,
Mr. Rahul Karmakar

... for the private respondent no.8 to 10

1. Affidavit of service filed in Court be kept with the record.

2. This is an application under Article 226 of the Constitution of India wherein the writ petitioners are aggrieved by inaction on the part of the respondent authorities in considering the representation dated December 3, 2020.

3. I have heard learned Counsel for the petitioners, the State as well as the private respondents being respondent nos.8 to 10.

4. In my view, this matter is required to be sorted out properly by the District Magistrate, Paschim Medinipur being respondent no.3.

5. Accordingly, I direct the concerned District Magistrate to pass a reasoned order after granting an opportunity of hearing to the petitioners, the Block Development Officer, Pingla Development Block being respondent no.5, the Prodhan No.1, Kusumda Gram Panchayat, being respondent no.6 and the private respondents within a period of six weeks and the reasoned order is to be communicated within a period of one week thereafter.

6. In the event, the survey is required to be carried out, the concerned District Magistrate is directed to carry out the survey before granting opportunity of hearing to the above parties.

7. With the above directions, this writ petition is disposed of.

8. Since no affidavit-in-opposition is called for, allegations made in the writ petition are deemed not to have been admitted.

9. All parties are to act on website copy of this order.

(Shekhar B. Saraf, J.)