

21.01.2021
SL No.67
Court No.24
(P.M.)

WPA 3074 of 2020

Jugal Denre
Vs.
The State of West Bengal & Ors.

Mr. Soumen Bhattacharjee
... for the petitioner

Ms. Koyeli Bhattacharya
... for the private respondent.

Ms. Monjuli Chowdhury,
Ms. Mekhla Sinha,
Ms. Tina Biswas
... for Howrah Zilla Parishad

Affidavit of service filed by the petitioner is kept with the record.

The petitioner alleges illegal and unauthorized construction being carried on in R.S. Dag No. 6537, 6536, L.R. Dag No. 5790, 5789, Mouza – Kolorah, J.L. No. 20 Kolorah Panchayat – II.

The petitioner complains that the objection raised against such illegal construction has not been considered by the respondent authorities till date.

The learned advocate representing the Howrah Zilla Parishad does not have any instruction in the matter.

As it appears that the representation of the petitioner objecting to the illegal and unauthorized construction is pending consideration at the end of the respondent authorities, no useful purpose will be served by keeping the writ petition pending.

The writ petition is accordingly disposed of by directing the respondent no. 3 being District Engineer, Howrah Zilla Parishad to consider and dispose of the representation made by the petitioner strictly in accordance with law, after giving an opportunity of hearing to all the necessary parties including the petitioner within a period of eight weeks from the date of communication of a copy of this order. The said respondent shall pass a reasoned order and communicate the same to all the necessary parties including the petitioner immediately thereafter.

It is made clear that this Court has not entered into the merits of the claim made by the petitioner and all points are left open to be decided by the aforesaid respondent at the time of consideration of the representation of the petitioner.

The petitioner is directed to forward a copy of the representation dated 30.01.2020 to the aforesaid respondent at the time of communicating the order of the Court.

WPA 3074 of 2020 stands disposed of.

Urgent photostat certified copy of this order, if applied for, be given to the parties on completion of usual formalities.

(Amrita Sinha, J.)