

23.09.2021
jb.

W.P.A. 3694 of 2020
(Baidyanath Mandi vs. State of West Bengal & Ors.)

Mr. Ziaul Haque
Mr. Himadri Kumar Mahata
.... For the Petitioner

Mr. Susovan Sengupta
Mr. Manas Kr. Sadhu
.... For the State

Mr. Debjit Mukherjee
Ms. Susmita Chatterjee
Ms. Dipanwita Ganguly
Mr. Kaustav Bhattacharya
....For the Respondent Nos. 11-16

The petitioner submits that he does not intend to proceed against the respondent No. 17. Accordingly, the name of the respondent No. 17 Swapan Singh be deleted from the cause-title of the petition. Let the cause-title be amended accordingly.

The grievance of the petitioner is that the private respondents have raised unauthorised construction on Government land and have obstructed egress and ingress of the petitioner. The petitioner intends to file a representation expressing his grievance before the respondent No. 2.

Upon consideration of the submissions made on behalf of the parties and material on record, I dispose of the writ petition with liberty to the petitioner to submit a representation before the respondent No. 2 expressing his grievance within a week from date. The respondent No. 2 shall consider and dispose of the said representation after affording reasonable opportunity of hearing to all the affected parties including the petitioner and the private respondents within a period of three months from the date of receipt of representation, in accordance with law. The petitioner should hand up copy of the representation along with relevant documents, if any, to the private respondents prior to the date fixed for hearing of the representation.

It is made clear that I have not gone into the merits of the case and the respondent No. 2 shall dispose of the application on merit by passing a speaking order independently.

W.P.A. 3694 of 2020 is thus disposed of.

Since no affidavit has been invited, allegations contained in the writ petition shall be deemed not to have been admitted.

Urgent website certified copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

(Suvra Ghosh, J.)