

24.12.2021
rc/ct.no.10
Item No.05

WPA No. 4901 of 2019
Sankar Moyra & Anr.
Versus
State of West Bengal & Ors.

Mr. Lakshminath Bhattacharjee...for the petitioner

Mr. Susovan Sengupta
Mr. Manas Kumar Sadhu ...for the State

The grievance of the petitioners is that the State-respondents are trying to extend a public road by encroaching upon their land though no acquisition proceeding was initiated for this purpose. The petitioners submitted representation before the concerned authorities on January 09, 2018 ventilating their grievance but such representation is yet to be disposed of. The petitioners pray for a direction upon the concerned authority to consider the said representation at the earliest.

Learned counsel appearing on behalf of the State-respondents submits that the representation may be directed to be considered by the District Magistrate, the respondent no. 2 in this writ petition.

Having considered the submissions made by the learned counsels appearing on behalf of the parties and the material on record, I dispose of the writ petition with a direction upon the respondent no. 2 to consider and dispose of the representation filed by the petitioners on January 09, 2018 within a period of three months from the date of communication of this order, after giving

reasonable opportunity of hearing to all the affected parties including the petitioner and concerned Departments, in accordance with law.

It is made clear that I have not gone into the merits of this case and the parties are at liberty to place their case as contended in the writ petition before the Authority at the time of hearing.

With the above observations and directions this writ petition being WPA No. 4901 of 2019 is disposed of.

There shall be, however, no order as to costs.

Since no affidavit is invited, the allegations contained in the petition are deemed not to be admitted.

Urgent certified website copy of this order, if applied for, be furnished to the parties upon compliance of necessary formalities.

(Suvra Ghosh,J)