

23.03.2021
(S/L-23)
Ct.-18
(Susanta)

(Via Video Conference)

W.P.A. 7223 of 2021

Samarendra Sahu & Anr.

-Vs-

The State of West Bengal & Ors.

Ms. Pinki Saha,

..... For the Petitioners.

Mr. Rajarshi Basu,

Mr. Shenaz Tareq Mina,

..... For the State Respondents.

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

None appears on behalf of the private respondents.

Mr. Rajarshi Basu, learned advocate appears on behalf of the State respondents.

The petitioners alleged that the private respondent nos. 8, 9 and 10 are illegally occupying the land belonging to the Haldia Development Authority.

The petitioners are praying disposal of their representation dated January 25, 2021 whereby they requested the Chief Executive Officer Haldia Development Authority, the respondent no. 7 herein, to initiate a proceeding for eviction of the said respondent nos. 8,9 and 10 from the said land.

Section 3 of the Public Premises (Eviction of Unauthorized Occupants) Act, 1962 obliges the Haldia Development authority to take steps for

eviction of the unauthorized occupants from their land.

W.P.A. 7223 of 2021 is disposed of by directing the respondent No.7 to consider the said representation of the petitioners appearing at page 66 of the writ petition being Annexure "P-5" and to dispose it of in accordance with law by a reasoned order within a period of 12 weeks from the date of communication of this order, if necessary, after giving the petitioners and other concerned parties an opportunity of being heard.

It is made clear that this Court has not gone into the merit of the allegation of the petitioners, it is for the respondent no. 7 to decide the same.

The petitioners are required to serve a complete copy of this writ petition upon the respondent no. 7 within a week from date.

Since no affidavit-in-opposition has been invited, the allegations made in the writ petition are deemed to have been denied by the respondents.

There shall be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Biswajit Basu, J.)