

W.P.A. 10695 of 2021

(Via Video Conference)

Ashrujit Hazra
Vs.
State of W.B. & Ors.

Mr. Bapin Baiyafor the petitioner.

Mr. Chandi Charan De
Mr. Anirban Sarkar ...for the State.

The grievance of the petitioner is directed against the refusal and failure of the District Magistrate being the respondent No.2 herein to dispose of an appeal filed by the petitioner under the provisions of the Bengal Highways Act, 1964.

Mr. De appearing on behalf of the State submits that he has no objection if the respondent No.2 is directed to dispose of the said appeal within a reasonable time period.

In view of the submission of the parties, the respondent No.2 is requested to dispose of the appeal appearing at page 21 (Annexure P-4) of the writ petition within a period of 3 months from date after giving a right of hearing to all the affected parties and after giving a reasoned order.

It is made clear that I have not gone into the merits of the case and the question of maintainability of the appeal as well as the merits of the appeal is left open to be decided by the District Magistrate.

Since no Affidavit-in-Opposition has been called for, the allegations contained in the petition are denied.

With the aforesaid directions, WPA 10695 of 2021 stands disposed of.

However, there will be no order as to costs.

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

(Ravi Krishan Kapur, J.)