

09.07.2021
rc/ct.no.10
Item No.02

WPA No. 8971 of 2019
Sk. Faruk
Versus
The State of West Bengal & Ors.
(VIA VIDEO CONFERENCE)

Mr. Subrata Bhattacharjeefor the petitioner

Mr. Soumitra Bandopadhyay
Mr. Subhasis Bandopadhyay ...for the State

Mr. Rammohan Chattopadhyay...for the WBSEDCL

The grievance of the petitioner is directed against the alleged illegal and unlawful construction being carried out on his premises.

It is submitted by the Advocate appearing on behalf of the petitioner that his property has been acquired and certain third parties have started construction on the premises of the petitioner.

The State-respondents are represented and submits that the property is in the possession of the Steel Authority of India Limited and that they have no role to play in the subject premises.

Mr. Chattopadhyay, Advocate appearing on behalf of the WBSEDCL submits that the subject-premises has been legally acquired and is in the possession of the Durgapur Steel Plant.

It is submitted on behalf of the petitioner that the representation made by the petitioner which is appearing

at page 62 (Annexure-P3 of the writ petition) has not been responded to by the Durgapur Steel Plant i.e. the respondent no. 3.

It is submitted that no such representation has been received by the Durgapur Steel Plant till date.

In view of the submission made by the Advocate appearing on behalf of the parties I am of the view that the representation appearing at page 62 (Annexure-P3 of the writ petition) ought to be responded to by the respondent no.3.

Accordingly, the respondent no. 3 is directed to treat the Annexure P3 (appearing at page 62 of this writ petition) as a representation of the petitioner and reply to the same within a period of four weeks from date.

It is made clear that I have not entered into the merits of this case and the respondent no. 3 will not be influenced by any observation on the merits of this case. All questions are to be decided by the respondent no. 3 in accordance with law.

It is also made clear that the respondent no. 3 will communicate its decision to the petitioner within two weeks from taking the final decision.

It is expected that the entire exercise will be completed by the respondent no. 3 within a period of 8 weeks from the date of communication of this order.

With the above observations and directions this writ petition being WPA No. 8971 of 2019 stands disposed of.

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

(Ravi Krishan Kapur,J)