

09.09.2021  
rc/ct.no.10  
Item No.38

**WPA No. 12151 of 2021**  
**Tapan Samanta & Anr.**  
**Versus**  
**The State of West Bengal & Ors.**  
**(VIA VIDEO CONFERENCE)**

Mr. Subhendu Bhattacharjee ....for the petitioners

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

Mr. Tapan Dutta Gupta  
Mr. Pankaj Aman ..for the respondent no.8

The petitioners' grievance is that the private respondents have encroached upon public land thereby obstructing the ingress and egress of the petitioners. Petitioners filed an application (appearing at page 50, Annexure P/7 of this writ petition) before the Sub-Divisional Officer, Haldia, the respondent no. 4 herein and others on April 28, 2021 praying for removal of such unauthorised construction, which has not been disposed of by the Sub-Divisional Officer till date. The petitioners pray for a direction upon the respondent no. 4 for consideration of the said application.

Upon hearing the submissions of the parties and considering the material on record I dispose of the writ petition with the direction upon the respondent no. 4 to consider and dispose of the application (appearing at page 50, Annexure P/7 of this writ petition) filed by the petitioners after giving an opportunity of hearing to all the

interested parties including the petitioners, within a period of three months from the date of communication of this order, in accordance with law.

It is made clear that as no affidavit has been invited, the allegations made in this writ petition are deemed not to be admitted.

With the above observations and directions this writ petition being WPA No. 12151 of 2021 stands disposed of.

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

Urgent certified website copy of this order, if applied for, be furnished to the parties on usual undertakings.

**(Suvra Ghosh,J)**