

12.08.2021
rc/ct.no.10
Item No.03

WPA No. 12419 of 2021
Sk. Nizamuddin
Versus
The State of West Bengal & Ors.

(VIA VIDEO CONFERENCE)

Mrs. Pinki Saha ...for the petitioner

Mr. Chandi Charan De
Mr. Jahar Dutta ...for the State

Mr. Pinaki Bhattacharjee
Mr. Debjyoti Maity...for the respondents no. 9 to 16

The grievance of the petitioner is directed against the unlawful and illegal encroachment by the private respondents on Government land.

The private respondents are represented and submit that there has been no illegal and unlawful encroachment and that they have been running a club since 1989.

Mr. De, Advocate appearing on behalf of the State-respondents submits that the matter may be referred to the Assistant Engineer (PWD), Haldia Construction Sub-Division No. 1 being the respondent no. 4 for resolving the grievance of the petitioner.

In view of the submission made by Mr. De, the petitioner is directed to make a representation to the respondent no. 4 within a period of two weeks from date. If such representation is made by the petitioner within the stipulated period, the respondent no. 4 is directed to consider and dispose of the same within a period of 8

weeks after giving a right of hearing to all the affected parties including the private respondents.

It is made clear that I have not entered into the merits of this case and the respondent no 4 will not be influenced by any observation on the merits of this case. All questions are to be decided by the respondent no 4 in accordance with law.

It is also made clear that after disposing of the representation of the petitioner the respondent no 4 will communicate the result of the same to the petitioner within a period of one week thereafter.

With the above observations and directions, this writ petition being WPA No. 12419 of 2021 stands disposed of.

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

Since no affidavits in oppositions are filed the allegations contained in the petition are denied.

(Ravi Krishan Kapur,J)