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jdt.

13.12.2021
jb.

W.P.A. 15631 of 2021
Sri Sri Lakshmi Janardan Thakur and Anr.
vs.
State of West Bengal & Ors.

Mr. Kumarjyoti Tewari
Mr. Panchanan Hazra
Mr. R. Ghatak
Mr. A. Tewari
.... For the Petitioners

Ms. Sudipa Ray
Syed Masihar Rahaman
.... For the State

The private respondents are not represented despite service of notice.

Heard learned counsel for the petitioners and the learned counsel for the State respondents.

The grievance of the petitioners is that they own and possess the plot in question which has been recorded in the L.R. Record of Rights in the name of the first petitioner. The private respondent has raised illegal construction on the said land in violation of an order passed by a co-ordinate Bench of

this Court with regard to land belonging to the first petitioner herein, adjoining the land in question in the present writ petition. The petitioners seek liberty to submit a representation before the concerned Authority stating the entire facts and pray for a direction upon the concerned Authority to consider such representation within a stipulated period of time.

Upon consideration of the submissions of the petitioners and the State respondents, the writ petition is disposed of with liberty to the petitioners to submit a representation stating the entire facts before the 3rd respondent within a week from date. The 3rd respondent is directed to consider and dispose of such representation within three months from the date of receipt thereof after giving reasonable opportunity of hearing to all the affected parties including the petitioners and the private respondents, in accordance with law. The concerned Authority shall take into consideration the order passed by the co-ordinate Bench of this Court on March 7, 2019 in W.P. 3823(W) of 2016 while considering such representation.

W.P.A. 15631 of 2021 is thus disposed of.

There shall be no order as to costs.

Since no affidavit has been invited, allegations contained in the writ petition shall be deemed not to have been admitted.

Urgent certified website copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

(Suvra Ghosh, J.)