

**38**  
**08.12.2021**  
Ct. No.10  
**b.das**

**W.P.A. 17531 of 2021**  
**(Via Video Conference)**

Sibu Sardar  
Vs.  
State of W.B. & Ors.

Md. Hasanur Zaman  
...for the petitioner.

Mr. Soumitra Bandyopadhyay  
Mr. P. Batabyal ...for the State.

Affidavit of service filed on behalf of the petitioner be taken on record.

Heard learned counsels for the parties.

It is contended on behalf of the petitioner that the petitioner purchased the land under Mouza Panchgachia, J. L. No.88, R.S. Khatian No.250, R.S. Dag No.111, P.S. Baruipur, Dist.- South 24 Parganas by virtue of a registered deed dated 21<sup>st</sup> December, 2004 and has been occupying the same.

The petitioner has alleged that the government health centre, namely, Panchgachia Upa Swastha Kendra has given tender for construction of a drain and the authorities intend to construct such drain through the petitioner's plot.

The petitioner submitted a representation ventilating his grievance before the 10<sup>th</sup> respondent on 8<sup>th</sup> October, 2020 but the said representation is yet to be disposed of. The prays for a direction upon the 10<sup>th</sup> respondent to consider and dispose of the said representation at the earliest.

Upon consideration of the submissions made on behalf of the parties and material on record, I dispose of the representation with a direction upon the 10<sup>th</sup> respondent to consider and dispose of the representation filed by the petitioner dated 8<sup>th</sup> October, 2020 within a period of three months from the date of communication of this order, after affording reasonable opportunity of hearing to all the interested parties including the petitioner in accordance with law.

Pending disposal of the representation, the respondent authorities are restrained from proceeding with any construction in the petitioner's land.

With the above observations and directions this writ petition WPA 17531 of 2021 is disposed of.

However, there shall be no order as to costs.

Since no affidavit is invited, the allegations contained in the petition are deemed not to be admitted.

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

**(Suvra Ghosh, J.)**