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22.12.2021
Ct. No.10
b.das

W.P.A. 17938 of 2021

(Via Video Conference)

Abhrarag Sarkar
Vs.
State of W.B. & Ors.

Mr. Shibaji Kumar Das
Mr. S. Sen
...for the petitioner.
Mr. Chandi Charan De
Mr. A. Sarkar
...for the State.

Heard learned counsels for the parties.

It is submitted on behalf of the petitioner that pursuant to the order of this Court passed on 16th November, 2021, the petitioner submitted a representation before the authority on the same date and the authority requested for a copy of the writ petition and also a copy of the stay order of this Court. The petitioner submits that such copy was served upon the concerned authority.

It is not in dispute that the representation submitted by the petitioner is yet to be considered by the authority for taking a decision. For the said reason, the petitioner prays for extension of the interim order granted earlier till the representation is disposed of.

Having considered the submissions made on behalf of the parties, this Court is of the view that since representation submitted by the petitioner before the authority on 16th November, 2021 is still pending, the interim order of stay of the notice dated 8th November, 2021 ought to be extended till the representation is disposed of.

Accordingly, the writ petition is disposed of directing the 3rd respondent to consider and dispose of the representation submitted by the petitioner before it on 16th November, 2021 within one month from the date of communication of this order after giving reasonable opportunity of hearing to the petitioner, in accordance with law.

Pending disposal of the said representation, there shall be an order of stay of the notice dated November 8, 2021.

It is also submitted on behalf of the petitioner that a similar representation has also been submitted by the wife of the petitioner on 8th November, 2021 for reallocation of the quarters in question in her favour.

The respondent No.3 should consider both the representations analogously and pass a reasoned order thereto on merits within the stipulated period of time.

With the above observations, the writ petition being WPA 17938 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.)