

27.07.2021
jb.

W.P.A. 23385 of 2019
(Anoyar Din & Ors. vs. Union of India & Ors.)

Mr. Golam Mostafa

Mr. Tarasankar Samanta

.... For the Petitioners

Ms. Monika Roy

.... For the NHAI

The writ petition is directed for removal of unauthorised illegal encroachment on the highway.

It is submitted on behalf of the petitioners that they have made a representation dated 12th October, 2018 and the same has not yet been considered by the respondents authorities.

Ms. Monika Roy, learned counsel appearing for the NHAI submits that this is the third round of litigations between the parties and the petitioners have been repeatedly filing writ petition frivolously. Ms. Roy, relies on an order dated 22nd April, 2019 passed by a Co-ordinate Bench in W.P. 7133(W) of 2019.

Heard the parties.

It appears from the order dated 22nd April, 2019 passed in W.P. 7133(W) of 2019 that a Co-ordinate Bench of this

Court had categorically recorded the fact that 'Removal of encroachment is not disputed'.

Accordingly, I do not find any merit in this writ petition. I also do not find any reason that the prayer for consideration of representation ought to be even considered by the respondent authorities.

In view of the aforesaid, W.P.A. 23385 of 2019 is dismissed.

There shall be no order as to costs.

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

(Ravi Krishan Kapur, J.)