

August 25, 2021

ARDR

(31)

WPA 7492 of 2020

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(IA CAN 1 of 2020)

M/s. Dhanwantri Tie Up (P) Ltd.

Vs.

The State of West Bengal & Ors.

Mr. Amartya Ghose,
Ms. Rituparna Ghose,
Mr. Siddhartha Paul,

...for the petitioner.

Mr. Jaydip Kar,
Mr. Siddhartha Ghosh,

...for the respondent no.5.

Mr. Sabyasachi Chatterjee,
Mr. Ankur Sharma,

...for the respondent no.10.

Mr. Chandi Charan De,
Mr. Anirban Sarkar,

...for the State.

The grievance of the petitioner is directed against illegal and unauthorised construction having taken place by the private respondents.

It is alleged on behalf of the petitioner that notwithstanding the fact that the petitioner has filed several representations insofar as the aforesaid illegal constructions are concerned, the State authorities have taken no steps whatsoever in the matter.

Mr. De appears for the State respondents and submits that he has no objection if a direction is been passed on the concerned State respondents to consider the representations of the petitioner and take steps in accordance with law.

Mr. Kar appears for the respondent no.5 and files a report, *inter alia*, highlighting that neither do the concerned State respondents have any authority to grant any permission nor are any of the constructions legitimate or authorised.

The private respondents are represented and submit that there is no substance in the allegations made by the petitioner.

In view of the aforesaid, I direct the respondent no.6 to consider and dispose of the representations filed on behalf of the petitioner within a period of three months from the date of communication of the order and after giving a right of hearing to all the affected parties including the respondent no.5 in accordance with law.

The respondent no.6, in disposing of the representations of the petitioner, will also consider and take into account the report filed by the respondent no.5 in Court today.

The respondent no.5 is directed to serve a copy of the said report on the respondent no.6 within the course of the week.

I make it clear that I have not gone into the merit of the case and the respondent no.6 is at liberty to consider and dispose of the representations of the petitioner without being influenced by any

observations insofar as the merits on the case are concerned in this order.

With the aforesaid directions, WPA 7492 of 2020 and the connected application stand disposed off.

(Ravi Krishan Kapur, J.)