

Court No. 24

29.01.2021

(Item No. 86)

(AB)

W.P.A 7959 of 2020

Bimal Kumar Gayen

vs

The State of West Bengal & Ors.

Mr. Sudarshan Ghosh

...for the Petitioner

Mr. Lal Ratan Mondal

Mr. Avik Kumar Das

..... for respondent No. 7

The petitioner alleges illegal and unauthorized construction being carried on at Dag No. 282, L.R. Khatian No. 1162, J.L. No. 142, Mouza – Kharibari.

The petitioner complains that the objection raised against such illegal construction has not been considered by the respondent authorities till date.

The learned advocate appearing on behalf of the private respondent submits, upon instruction, that there is no illegal construction in the premises in question.

As it appears that the representation of the petitioner objecting to the illegal and unauthorized construction is pending consideration at the end of the respondent authorities, no useful purpose will be served by keeping the writ petition pending.

The writ petition is accordingly disposed of by directing the respondent no.4, the Pradhan, Manirtat Gram Panchayet, P.S. Bakultala, South 24 Parganas to consider and dispose of the representation made by the petitioner, strictly in accordance with law, after giving an opportunity of hearing to all the necessary parties including the

petitioner within a period of eight weeks from the date of communication of a copy of this order. The said respondent shall pass a reasoned order and communicate the same to all the necessary parties including the petitioner immediately thereafter.

It is made clear that this Court has not entered into the merits of the claim made by the petitioner and all points are left open to be decided by the aforesaid respondent at the time of consideration of the representation of the petitioner.

The petitioner is directed to forward a copy of the representations dated 24.12.2019, 31.12.2019 and 02.01.2020 to the aforesaid respondent at the time of communicating the order of the Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon completion of usual legal formalities.

(Amrita Sinha, J.)