

AD. 14.
December 22, 2021.
MNS.

(Through Video Conference)

WPA No. 8252 of 2020

Sankar Maity

Vs.

State of West Bengal and others

Mr. Rwitendra Banerjee,
Mr. Sandip Kundu

... for the petitioner.

Mr. Susovan Sengupta,
Mr. Subir Pal

...for the State.

Affidavit-of-service filed in Court today be kept on record.

Despite service, none appears for the private respondents, although the petitioner as well as the respondent-authorities are represented through counsel.

Learned counsel appearing for the petitioner submits that, despite having given a representation in respect of the alleged encroachment of a public land by the private respondents, no steps have been taken by the respondent-authorities on such representation.

Learned counsel appearing for the respondent-authorities submits that, in principle, there is no objection to considering such representation.

In view of the innocuous nature of the prayer sought by the petitioner, no further service on the private respondents is deemed necessary.

Accordingly, WPA 8252 of 2020 is disposed of by directing the respondent no. 5 to consider the representation of the petitioner dated July 11, 2020, as appearing at page 14 (Annexure- P2) of the instant writ petition, as expeditiously as possible, preferably within January 10, 2022 in accordance with law and upon giving adequate opportunity of hearing to all the interested parties.

It is expected that the respondent-authorities shall take appropriate steps under the West Bengal Public Land (Eviction of Unauthorised Occupants) Act, 1962, in the event the decision of the respondent-authorities is in support of the petitioner's allegation of encroachment, within a reasonable period after such decision being taken, preferably to be initiated within a fortnight thereafter.

There will be no order as to costs.

Urgent photostat certified copies of this order, if applied for, be made available to the parties upon compliance of the requisite formalities.

(Sabyasachi Bhattacharyya, J.)