

09.02.2021
SL No.102
Court No.24
(P.M.)

WPA 10707 of 2020

Buland Javed & Anr.
Vs.
The State of West Bengal & Ors.

Mr. Mohit Gupta,
Mr. Chandrakant Kushwaha
... for the petitioners

Ms. Madhurima Sarkar,
Mr. Arghya Kamal Das
... for the respondent Nos. 8 & 11.

Mr. Amitava Pain
... for the respondent Nos. 7 to 16

Leave granted to the learned advocate on record of the petitioners to correct the presentation form of the writ petition.

The petitioners allege illegal and unauthorized construction in a water body being carried on at R.S. Dag No. 973/ L.R. Dag No. 953, J.L. No. 55 in R.S. Khatian No. 1153 under Mouza Bankra under Police Station Domjur.

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

As it appears that the representation of the petitioners 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. 2 being Bankra-II Gram Panchayet to consider and dispose of the representation made by the petitioners, strictly in accordance with law, after giving an opportunity of hearing to all the necessary parties including the petitioners within a period of twelve 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 petitioners immediately thereafter.

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

The petitioners are directed to forward a copy of the representation dated 2nd December, 2020 to the aforesaid respondent at the time of communicating the order of the Court.

Affidavit of service filed in court is taken on record.

Writ Petition WPA 10707 of 2020 stands disposed of.

Urgent photostat certified copy of this order, if applied for, be given to the parties on completion of usual formalities.

(Amrita Sinha, J.)