

Ct. 24
Item No.106
09.02.2021
(suvendu)

WPA 10938 OF 2020

**Chandra Kanta Mondal
Vs.
The State of West Bengal & Ors.**

Md. Hasanuz Zaman
.....for the petitioner
Mr. Pantu Deb Roy
Mr. Pannalal Bandopadhyay
.....for the State

Affidavit of service filed in Court today is taken on record. Despite service, no one appears for the Pradhan and the private respondents.

The petitioner alleges illegal and unauthorized construction being carried on at Mouza –Satjelia, J.L. No.45, Dag No. 1609/1777, Khatian No. 336, total area of land 110 decimal, Nature-Bilan, P.S. –Gosaba now Sundarban Coastal, Dist. –South 24 Parganas.

The petitioner complains 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 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. 9 to consider and dispose of the representation dated 25th November, 2020 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 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 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 representation dated 25th November, 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 given to the parties on usual undertakings.

(Amrita Sinha, J.)