

04/01/2021
Item No.11 DL
AB/S DE

Through Video Conference

W.P.A. (P) 5 of 2020

Dinabandhu Sarkar

-Vs-

The State of West Bengal & Ors.

Mr. Kamal Kanta Kar ...for the Petitioner.

Mr. Samrat Sen, Sr. Govt. Adv ...for the State.

The grievance of the petitioner is that illegal encroachments are being permitted on the Dhupguri – Falakata Road.

The petitioner and the State are represented.

We have heard learned Counsel for the petitioner and learned Counsel for the State.

The private respondents have not appeared. However, having regard to the nature of the allegations in the writ petition, we do not deem it necessary to keep the matter pending.

The 2nd respondent shall conduct requisite enquiry / investigation through the officers concerned in the light of the allegations made in the writ petition. The 2nd respondent shall also give an opportunity of hearing to the private respondents and any other concerned party.

In the event, the 2nd respondent finds that there is substance in the complaint made by the petitioner,

he will take appropriate steps through the competent authority to remove the illegal encroachments. The entire exercise will be completed within six weeks from the date of service of a copy of this order by the petitioner on the 2nd respondent.

Since no affidavits have been called for, the allegations contained in the writ petition shall be deemed not to be admitted by the respondents.

WPA (P) 5 of 2020 is, accordingly, disposed of.

Urgent Photostat Certified copy of this order, if applied for, be supplied expeditiously after complying with all necessary legal formalities.

(Thottathil B. Radhakrishnan, C.J.)

(Arijit Banerjee, J.)