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Calcutta High Court
In the Circuit Bench at Jalpaiguri
Appellate Jurisdiction

W.P.A. 81 of 2021
Abhisikta Nirman Pvt. Ltd. & Anr.
-Versus-
The Union of India & Ors.

Mr. Amalesh Roy
Mr. Deborshi Dhar **...For the Petitioners**

Mr. Sudipta Kumar Mazumder, Ld. A.S.G.
Mr. Dipayan Pathak ...For Union of India

This is an application under Article 226 of the Constitution of India wherein the writ petitioner is aggrieved by the inaction on the part of the respondent authorities in granting him no objection with regard to building construction in an area that may be a restricted zone of the defence establishments.

The case of the petitioner is that by a letter dated June 15, 2020, he has been informed that the decision to grant no objection shall be taken from the higher authorities. He further submits that in respect of this, no decision has yet been taken by the authorities concerned.

I have heard learned Additional Solicitor General in the matter and perused the material placed on record.

Accordingly, I direct the official concerned in the Ministry of Defence to take a decision on the representation of the petitioner dated October 8, 2020 within a period of six weeks from date and inform the petitioner within a week thereafter.

With the aforesaid observation the writ petition is disposed of.

Since, no affidavit-in-opposition has been called for, the allegations made in the writ petition are deemed to have not been admitted by the respondents.

There will be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be given to the parties, on priority basis.

(*Shekhar B. Saraf, J.*)