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jdt.

11.03.2022
jb.

W.P.A. 485 of 2022
(Soumitra Dutta vs. State of West Bengal & Ors.)

Md. Younush Mondal
... For the Petitioner

Mr. C. C. De
Mr. Soumitra Bandyopadhyay
Mr. Anirban Sarkar
... For the State

It appears from the postal envelope submitted by the petitioner that the private respondents refused to accept notice of the writ petition. Such refusal amounts to due service of the notice.

Liberty is granted to the petitioner to implead the Assistant Executive Engineer, Public Works Department, Basirhat, District North 24 Parganas as the 8th respondent in this matter.

The cause-title of the writ petition be amended accordingly.

The petitioner complains that the private respondents have made illegal construction by

encroaching upon the P.W.D. road, thereby obstructing egress and ingress of the petitioner. The petitioner submitted a representation before the concerned Authority in this regard on 25th February, 2021 which is yet to be disposed of. The petitioner prays for direction upon the Authority to consider the representation at the earliest.

Having considered the submissions made on behalf of the parties and material on record, the writ petition is disposed of directing the 8th respondent to consider and dispose of the representation submitted by the petitioner dated 25th February, 2021 within three months from the date of communication of this order after affording reasonable opportunity of hearing to all the interested parties including the petitioner and the private respondents, in accordance with law.

With the aforesaid observations and directions W.P.A. 485 of 2022 is disposed of.

There shall be no order as to costs.

Since no affidavit has been invited, allegations contained in the writ petition shall be deemed not to have been admitted.

Urgent certified website copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

(Suvra Ghosh, J.)