

WPA 486 of 2022

Mahammad Ali Zinnah
Vs.
The State of West Bengal & Ors.

Mr. Younush Mondal,
...for the petitioner.
Mr. Arka Maiti,
Ms. Saloni Bhattacharya,
Ms. Gulsan Pervin,
...for the respondent no.7
Md. T. M. Siddiqui,
Mr. Nilotpall Chatterjee,
...for the State.

Affidavit of service filed by the petitioner is taken on record.

It is contended on behalf of the petitioner that the private respondent has raised illegal construction by encroaching upon PWD land adjoining his property, thereby obstructing his ingress and egress. The petitioner submitted a representation in this regard before the concerned authority on 25th February, 2021 which is yet to be disposed of. The petitioner prays for a direction upon the authority to consider the representation at the earliest.

Learned counsel for the private respondent disputes the contentions of the petitioner as made out in the writ petition.

Upon consideration of the submissions made on behalf of the parties and material on record, the writ petition is disposed of directing the 5th respondent to

consider and dispose of the representation submitted by the petitioner dated 25th February, 2021 within a period of 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 respondent, in accordance with law.

With such directions, WPA 486 of 2022 is disposed of. However, there shall be no order as to costs.

Since no affidavit is invited, the allegations contained in the petition are deemed not to be admitted.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)