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jdt.

09.02.2022
jb.

W.P.A. 1125 of 2022
(Sk. Mohammad Ali vs. State of West Bengal & Ors.)

Badruddoza Mallick
... For the Petitioner

Mr. Soumitra Bandyopadhyay
Mr. Subhasis Bandyopadhyay
... For the State

Mr. Arunava Ganguly
... For the Private Respondent

Affidavit-of-service filed on behalf of
the petitioner is taken on record.

The petitioner complains that the
private respondent has raised illegal
construction by encroaching upon P.W.D. land
and has thereby obstructed egress and ingress
of the petitioner. The petitioner submitted a
representation in this regard before the
concerned Authority on 10th December, 2021
which is yet to be disposed of. The
petitioner prays for a direction upon the

Authority to consider the representation at the earliest.

It is submitted on behalf of the private respondent that the private respondent be given an opportunity of hearing before the Authority at the time of consideration of the representation.

Having considered the submissions made on behalf of the parties and material on record, the writ petition is disposed of directing the 2nd respondent to consider and dispose of the representation dated 10th December, 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.

W.P.A. 1125 of 2022 is thus 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.)