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16.02.2022
Ct. No.10
b.das

W.P.A. 1800 of 2022

(Via Video Conference)

Sarbeswar Guchait
Vs.
State of W. B. & Ors.

Ms. Pampa Dey (Dhabal) ...for the petitioner.

Mr. Chandi Charan De
Mr. A. Sarkar ...for the State.

Mr. Binoy Kr. Das
Mr. J. C. Das ...for the private respondent.

Affidavit of service filed on behalf of the petitioner is kept with the record.

Heard learned counsels for the parties.

The grievance of the petitioner is that the private respondents have raised unauthorized construction by encroaching upon the PWD road adjoining the petitioner's property and have thereby obstructed his egress and ingress.

The petitioner submitted a representation in this regard before the concerned authority on 3rd January, 2022 which is yet to be disposed of. The petitioner prays for a direction upon the authority to consider the representation at the earliest.

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 3rd January, 2022 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 respondents, in accordance with law.

With the above observations and directions this writ petition being WPA 1800 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.)