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18.02.2022
Ct. No.10
b.das

W.P.A. 2020 of 2022

(Via Video Conference)

Banbehari Jana & Ors.
Vs.
State of W. B. & Ors.

Mr. Jagadish Ch. Das
Mr. B. K. Das ...for the petitioner.

Mr. Chandi Charan De
Mr. H. Maiti ...for the State.

Ms. Pampa Dey (Dhabal)
Ms. S. Khatun ...for the respondent No.10.

Heard learned counsels for the parties.

The petitioners have challenged a notice issued by the State respondents under Section 10(1) of the West Bengal Highways Act, 1964 and under Section 1 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971. In course of hearing of the matter, it is admitted by both the parties that an order under Section 10(3) of the West Bengal Highways Act, 1964 has been issued by the Sub-Divisional Magistrate, Egra on 16th February, 2022.

The said order being appellable under Section 10(4) of the 1964 Act, the petitioners are at liberty to approach the appropriate appellate forum for redressal of their grievances.

The present writ petition admittedly challenges Annexure P-4, that is, the notice under Section 10(1) of the 1964 Act. In view of the above, nothing further remains to be adjudicated in the present writ petition.

With the above observations and directions this writ petition being WPA 2020 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.)