

June 21, 2022
Sl. No.33
Court No.1
s.biswas

WPA (P) 46 of 2021

Sandip Modak

vs.

The State of West Bengal and others

Mr. Supatick Syamal,
Mr. Anirba Tribedi, Advocates

...for the petitioner

Mr. Jaharlal De,
Mr. Shamim Ul Bari, Advocates

... for the State

Mr. Gazi Faruque Hossain,
Mr. Ziaul Haque,
Mr. Himadri Kumar Mahato, Advocates

... for the respondent Nos.4 & 5

By this public interest petition the petitioner has challenged the grant of patta in favour of the private respondent Nos.4 and 5.

The case of the petitioner is that the land in question situated at Dag No.152 at Mouza Mahanad, Harmala, District Hoogh was regularly used by the local committee for the purpose of melas, religious gatherings and other community-based events. When the matter is taken up today, learned counsel for the petitioner has pointed out that the petitioner has filed a representation (Annexure P/2) before the respondent No.2 (District Magistrate, Hooghly), but the said representation has not been decided.

Learned counsel for the State has fairly submitted that if a proper fresh representation is filed before the Additional District Magistrate, Hooghly, then the grievance of the petitioner will be duly looked into.

This submission is not disputed by the petitioner or the learned counsel for the private respondents.

Hence, we dispose of the present petition by permitting the petitioner to file a proper representation before the Additional District Magistrate, Hooghly and DL&LRO, Hooghly and on receipt of the said representation the Additional District Magistrate, Hooghly and DL&LRO, Hooghly will give an opportunity of hearing to the petitioner as well as the private respondents and will take decision in accordance with law as expeditiously as possible preferably within a period of 3 months from the date of receipt of the representation.

The petition is disposed of.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties on usual undertaking.

[Prakash Shrivastava, C.J.]

[Rajarshi Bharadwaj, J.]