

27.06.2022
rc/ct.no.10
Item No.28

WPA No. 3343 of 2022

Mr. Dhiman Ray
Mr. Partha Sengupta
Mr. Di; Chanda ...for the petitioner

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

Affidavit of service filed in Court today be taken on record.

The petitioners were granted lease for 999 years by the respondent authorities by virtue of a deed of lease dated 22.09.2015 comprising 11 cottahs of land and raised boundary wall therein. Subsequently, due to some difficulty with regard to the said plot, the petitioners were requested to surrender the said deed and a fresh deed of lease comprising 8 cottahs and 10 chhitaks of land was executed in their favour by the authority on 22.01.2020. The petitioners complain that they have not been delivered possession of the property till date and a third person has raised construction therein beyond the knowledge and consent of the petitioners in breach of the deed of lease executed in their favour. The petitioners submitted a representation before the authority in this regard which is yet to be disposed of. The petitioners pray for a direction upon the authority to consider the same at the earliest.

Upon consideration of the submissions made by the learned counsels appearing on behalf of the parties and the material on record, the writ petition is disposed of directing the 2nd respondent to consider and dispose of the representation submitted by the petitioners within a period of one month from the date of communication of this order, after affording reasonable opportunity of hearing to all the affected parties including the petitioner, in accordance with law.

The decision taken by the authority shall be communicated to the petitioner within a week thereof.

Accordingly, this writ petition is disposed of.

There shall be, however, 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 furnished to the parties upon compliance of necessary formalities.

(Suvra Ghosh,J)