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jdt.

17.03.2022
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W.P.A. 4194 of 2021
(Amrita Krishna Majumder vs. Union of India & Ors.)

Mr. Animesh Mukherjee
Md. Ali Ahasan
... For the Petitioner

Mr. Anup Kanti Poddar
Mr. Ayan Poddar
... For the Respondent Nos. 2-5.

The grievance of the petitioner is that the respondents have illegally encroached upon a portion of the plot owned by the petitioner by raising boundary wall therein though the said portion has not been acquired in accordance with law.

The petitioner seeks liberty to submit a representation in this regard before the Authority and prays for direction upon the Authority to consider the representation at the earliest.

The respondent Nos. 2-5 concede to the said proposal of the petitioner.

In view of the same, the writ petition is disposed of with liberty to the petitioner to submit a comprehensive representation before the 2nd respondent within fortnight from date. The 2nd respondent shall consider and dispose of the representation within six weeks from the date of receipt thereof after affording reasonable opportunity of hearing to all the interested parties including the petitioner/his representatives, in accordance with law. The decision taken by the Authority shall be communicated to the petitioner within a week thereof.

It is made clear that this Court has not gone into the merits of the case and the petitioner shall be at liberty to place his case as made out in the writ petition before the Authority at the time of hearing.

With the aforesaid observations and directions, W.P.A. 4194 of 2021 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.)