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04.07.2022
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W.P.A. 3612 of 2022
(Jogendra Nath Bera @ Jagannath Bera vs. State of West Bengal & Ors.)

Mr. Sarbananda Sanyal
.... For the Petitioner

Mr. Ashim Kr. Ganguly
Mr. Bellal Shaikh
.... For the State

The petitioner claims to be recorded owners of the plot in question and complains that the respondent Authorities are excavating his land without acquiring the same and are also dumping earth excavated from Khrai Boxi Khal in the land. The petitioner seeks liberty to submit a comprehensive representation before the concerned Authority in this regard and prays for a direction upon the Authority to consider the representation at the earliest.

Upon considering the submissions made on behalf of the parties and material on record the writ petition is disposed of with liberty to the petitioner to submit a comprehensive representation ventilating his grievance before the 4th respondent within a fortnight from date. The 4th respondent is directed to consider and dispose of the representation filed by the petitioner

dated 17th April, 2021 within one month from the date of receipt thereof after affording reasonable opportunity of hearing to the interested parties including the petitioner, in accordance with law.

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

It is made clear that this Court has not gone into the merits of the case and the petitioners shall be at liberty to place their contentions before the concerned Authority at the time of hearing.

W.P.A. 3612 of 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.)