

WPA 3694 of 2022

Adhir Chandra Naskar & Ors.
Vs.
The State of W.B. & Ors.

Mr. Shambhunath Roy	
Ms. T. Parvin	
Ms. R. Aktar	
Ms. S. Das	...for the petitioners.
Mr. H. S. Chakraborty	
Ms. Debdooti Dutta	...for the State.
Ms. Mitali Bhattacharya	... for the WBSEDCL.
Mr. Sandipan Banerjee	
Mr. A. Sureka	
Mr. S. Majumder	...for the HMC.

Heard learned counsels for the parties.

It is contended on behalf of the petitioners that in an earlier writ petition filed by the petitioners being WPA 11829 of 2020, a co-ordinate Bench of this Court by an order passed on 10th February, 2021, directed the District Magistrate to hear the matter upon calling for a report from the Howrah Municipal Corporation as also from the concerned Land and Land Reforms Department regarding ownership of the land.

The petitioners complain that despite such order, the hearing before the District Magistrate is still continuing and has not been disposed of till date.

The petitioners pray for a direction upon the District Magistrate to conclude the proceedings within a particular

time frame upon affording reasonable opportunity of hearing to the petitioners.

Upon consideration of the submission made on behalf of the parties, this Court is inclined to hold that since the issue is pending before the District Magistrate, being the 2nd respondent herein, the said authority be directed to take the proceeding to its logical conclusion within a stipulated time frame.

Accordingly, the writ petition is disposed of directing the 2nd respondent to take the proceedings pending before him to its logical conclusion within a period of one month from the date of communication of this order, after giving reasonable opportunity of hearing to all the interested parties including the petitioners, in accordance with law. The petitioners shall be at liberty to place their contention as well as furnish relevant documents in support of their claim before the concerned authority at the time of hearing.

With the above observations and directions this writ petition being WPA 3694 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.)