

21.09.2022
rc/ct.no.10
Item No.108

WPA No. 3945 of 2022

Mr. Prosenjit Mukherjee
Mrs. Poulami Dutta ...for the petitioner

Mr. Chandi Charan De
Mrs. Reshmi Rahaman ...for the State

Md. Kutubuddin ...for the respondents no.12 to 17

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

The petitioner claims to be the recorded owner of the plot in question and complains that the private respondents have raised unauthorised construction by encroaching upon the PWD road adjoining his property, thereby obstructing his ingress and egress. The petitioner approached the concerned authorities on several occasions but to no effect. The petitioner has submitted a representation before the Assistant Engineer, Rampurhat Highway Sub-Division, the 3rd respondent herein, on 06.09.2021 which is yet to be considered.

The petitioner prays for a direction upon the State-respondents to consider the representation at the earliest.

It is submitted on behalf of the State-respondents that the 3rd respondent be directed to consider the representation in accordance with law.

In view of the above, the writ petition is disposed of directing the 3rd respondent to consider and dispose of the

representation submitted by the petitioner on 06.09.2021 within a period of three months from the date of communication of this order, after giving reasonable opportunity of hearing to all the affected parties including the petitioner, in accordance with law.

With the above observations and directions 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)