

24  
jdt.

**05.12.2022**  
**jb.**

**W.P.A. 4076 of 2022**  
**(Sk. Nijamuddin & Ors. vs. State of West Bengal & Ors.)**

**Mr. Salil Kr. Maity**  
**Ms. Jayatri Basu Roy**  
**.... For the Petitioners**

**Mr. Susobhan Sen**  
**Mr. Supratim Dhar**  
**.... For the State**

Affidavit of service filed on behalf of the petitioners is taken on record.

None appears for the private respondents despite service.

The petitioners complain of unauthorised construction raised by the private respondents by encroaching upon a portion of the PWD land, thereby obstructing their egress and ingress. The petitioners submitted a representation before the concerned authority in this regard (Annexure P/1 to the writ petition) which is yet to be considered. The petitioners pray for a direction upon the authority to consider the representation at the earliest.

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

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

representation submitted by the petitioners (Annexure P/1 to the writ petition) within three months from the date of communication of this order upon affording reasonable opportunity of hearing to all the interested persons including the petitioners, in accordance with law.

The writ petition 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.)**