

28.11.2022
rc/ct.no.10
Item No.61

WPA No. 5152 of 2022

Mr. Rabiul Islam
Mr. Raju Mondal
Mr. S.A. Munshi
Mr. Firoj Khatun ...for the petitioner

Mr. Ayan Banerjee ...for the State

Mr. Jagabandhu Ray
...for the respondents no.8 to 12

Written instruction submitted by the State-respondents is taken on record.

The petitioner complains of illegal construction made by the private respondents by encroaching upon a portion of the PWD land adjoining his property, thereby obstructing his ingress and egress. The petitioner submitted a representation before the concerned authority on 03.03.2022 which is yet to be considered.

The petitioner prays for a direction upon the concerned authority to consider the representation at the earliest.

It appears from the written instruction submitted by the State-respondents that necessary steps are being taken by the Assistant Engineer, PWD, Berhampur Sub-Division-III for demarcation of the plots in question in order to ascertain the plots belonging to the Government.

Be that as it may, since the representation in this regard is pending before the concerned authority, the concerned authority be directed to consider the same in accordance with law.

In view of the above, the writ petition is disposed of directing the 6th respondent to consider and dispose of the representation submitted by the petitioner on 03.03.2022 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 and the private respondent, 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)