

WPA 5204 of 2022

Dukha Bhanja Garai & Ors.
Vs.
Damodar Valley Corporation & Ors.

Mr. D. N. Roy,
Ms. Munmun Tewary,
Mr. Rajesh Kumar Shaw,
Ms. C. Chawdhury,

...for the petitioners.

Mr. Partha Banerjee,

...for the DVC.

Mr. Soumitra Bandyopadhyay,
Mr. Subhasis Bandyopadhyay,

...for the State.

On prayer of the petitioners liberty is granted to deposit the deficit court fees within two days.

Heard learned counsels for the parties.

The innocuous prayer of the petitioners is for consideration of their representation submitted before the Damodar Valley Corporation authorities (Annexure P/7 to the writ petition) within a stipulated time frame.

The petitioners complain that they are unable to cultivate the plots in question which are their only source of livelihood due to the respondents depositing ash and other materials in the said plots.

It is submitted on behalf of the respondents that the 3rd respondent be directed to consider the representation submitted by the petitioners 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 petitioners (Annexure P/7 to the writ petition) within one month from the date of communication of this order after affording reasonable opportunity of hearing to all the interested persons including the petitioners, in accordance with law.

The decision taken by the authority shall be communicated to the petitioners within a week thereof.

With the above directions, WPA 5204 of 2022 is disposed of. There shall however, 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 furnished to the parties upon compliance of necessary formalities.

(Suvra Ghosh, J.)