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jdt.

18.08.2022
jb.

W.P.A. 5514 of 2022
(Kamrej Mahalder vs. State of West Bengal & Ors.)

Mr. Partha Pratim Roy
Ms. Poulami Chakraborty
.... For the Petitioner

Mr. Soumitra Bandyopadhyay
Mr. Subhasis Bandyopadhyay
..... For the State

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

The petitioner claims to be the recorded owner of the plot in question and complains that the State respondents are constructing bus stand therein without acquiring the plot or paying any compensation to the petitioner for the same. The petitioner has drawn the attention of the Court to the live data as on 4th March, 2022 annexed as Annexure P/5 to the writ petition which indicates that the plot is owned by the Government. However, there is no explanation to the said recording.

The petitioner has submitted representation ventilating his grievances before the concerned authority on 10th March,

2022 which is yet to be considered. The petitioner prays for a direction upon the authority to consider the representation at the earliest and take necessary steps in accordance with law.

It is submitted on behalf of the State respondents that the third respondent may 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 dated 10th March, 2022 within two months from the date of communication of this order after affording reasonable opportunity of hearing to all the interested parties including the petitioner, in accordance with law.

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

Pending disposal of the representation, respondents are restrained from carrying on any construction in the plot in question by encroaching upon any portion of the same.

W.P.A. 5514 of 2022 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.)