

WPA 8921 of 2021

Sk. Samsuddin
Vs.
The State of West Bengal & Ors.

Mr. Bhagbat Chowdhury,
Sk. Toslim Ali,
...for the petitioner.
Mr. Soumitra Bandyopadhyay,
Mr. Ram Chandra Guchait,
...for the State.

None appears for the private respondent.

The petitioner's grievance is that the private respondent is raising unauthorised construction on PWD land and has also encroached upon the plot owned and occupied by the petitioner adjoining the PWD land. A civil suit with regard to the alleged encroachment on the petitioner's land is pending between the petitioner and the private respondent. The petitioner submitted a representation before the concerned authority on 30th March, 2021 for necessary action by the authority to stop the unauthorised construction on PWD land but the said representation is yet to be disposed of. The petitioner prays for a direction upon the authority to consider the representation at the earliest.

Upon consideration of the submissions made on behalf of the parties and material on record, the writ petition is disposed of directing the third respondent to

consider and dispose of the representation submitted by the petitioner dated 30th March, 2021 within a period of three months from the date of communication of this order after affording reasonable opportunity of hearing to all the interested parties including the petitioner and the private respondent, in accordance with law.

With such directions, WPA 8921 of 2021 is disposed of. However, there shall 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 supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)