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jdt.

18.07.2022
jb.

W.P.A. 8606 of 2022
(Sk. Abdur Rouf vs. State of West Bengal & Ors.)

Sk. Toslim Ali
Saba Parveen

.... For the Petitioner

Mr. Chandi Charan De
Ms. Chandana Ghosh

.... For the State

Mr. Javed Kr. Sanwarwala

.... For the Respondent Nos. 8, 9 and 10

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

The petitioner's grievance is that the private respondents are filling up a water body belonging to the petitioner and are raising unauthorised construction therein. The petitioner submitted a representation before the concerned authority on 16th April, 2022 which is yet to be disposed of. The petitioner prays for a direction upon the authority to consider the representation at the earliest.

It is submitted on behalf of the State respondents that the 4th respondent be

directed to consider the representation in accordance with law.

Learned counsel for the private respondents submits that it is the petitioner who has filled up water body and converted the same into bastu. The private respondents pray for a right of audience before the concerned authority.

In view of the above, the writ petition is disposed of directing the 4th respondent to consider and dispose of the representation submitted by the petitioner dated 16th April, 2022 within two months from the date of communication of this order after affording reasonable opportunity of hearing to the interested parties including the petitioner and the private respondents, in accordance with law.

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

It is made clear that this Court has not gone into the merits of the case and the parties shall be at liberty to place their respective contentions before the authority at the time of hearing.

W.P.A. 8606 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.)