

10 02.06.22
Srimanta
Ct. No. 6

WPA 9656 of 2022

Abid Hossain & Ors.

Vs.

The Kolkata Municipal Corporation & Ors.

Mr. Lal Mohan Basu, Adv.

... .. For the petitioners.

Mr. Ranajit Chatterjee, Adv.,

Mr. Aniruddha Mitra, Adv.

...for the Kolkata Municipal Corporation.

Mr. Himadri Sekhar Chakraborty, Adv.,

Mr. Subhabrata Das, Adv.

...for the State.

Affidavit-of-service filed in Court today be kept with the record.

Petitioners are the owners of a particular piece of land. It is alleged that the respondents being the adjacent landowners are trying to raise construction on the petitioners' land by way of encroachment without sanctioned plan. Proceeding under Section 144 (2) of the Code of Criminal Procedure was initiated at the instance of the petitioners. Some orders were also passed by the Executive Magistrate. However, the respondents did not stop construction over the disputed property. Finally, the petitioners made a representation before the Executive Engineer, Kolkata Municipal Corporation, respondent no. 5 herein on 19th April, 2022. The grievance of the petitioners is that the said representation has not been disposed of as yet.

I have heard the Learned Advocate for the petitioners and the Learned Advocate for the State as well as the Learned Advocate for the Kolkata Municipal Corporation.

The instant writ petition is disposed of directing the respondent no. 5 to dispose of the representation filed by the petitioners on 19th April, 2022 within 60 days from the date of communication of this order after giving notice to both the petitioners and the private respondents and providing opportunity of being heard in accordance with law.

The instant writ petition is, thus, **disposed of**.
Police report be kept with the record.

(Bibek Chaudhuri, J.)