

January 04, 2022

ARDR

(7)

WPA 11729 of 2021

Anup Kumar Singharay

Vs.

The State of West Bengal & Ors.

Mr. Baidurya Ghosal,

...for the petitioner.

Mr. Soumitra Bandyopadhyay,

Mr. Priyabrata Batabyal,

...for the State.

The petitioner has contended that the respondent authorities have illegally encroached upon the land of the petitioner and are raising construction therein illegally without due process of law.

Learned counsel for the State respondents submits that upon measurement it was found that no portion of the petitioner's land has been encroached.

Upon considering the submissions made on behalf of the parties, this Court is of the view that the petitioner may be given liberty to submit a representation before the third respondent in this regard which shall be disposed of by the latter within a stipulated period of time.

Accordingly, the writ petition is disposed of with liberty to the petitioner to submit a comprehensive representation stating all facts before the third respondent within a week from date. Such representation shall be considered and disposed of by

the third respondent within a period of two months from the receipt thereof after giving reasonable opportunity of hearing to all the interested parties including the petitioner, in accordance with law.

WPA 11729 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 furnished to the parties on usual undertakings.

(Suvra Ghosh, J.)