

WPA(P) 274 of 2022

**Iswar Pal & Ors.
Vs.
The State of West Bengal & Ors.**

Mr. Apurba Kumar Datta
... .. for the petitioners
Mr. Jahar Lal De
Mr. Rudranil De
... .. for the State
Mr. Kuntal Banerjee
... .. for the respondent no.9
Mr. Partha Banerjee
... .. for the respondent no.10

The allegation in this petition is that there is a main village road which passes through Dhasna Mouza and Mamudpur Mouza and maintained by the respondent no.3, Paschim Bardhaman Zilla Parishad and the said road passes through Dag No. 471 within the Mouza Mamudpur connecting and is connected with several villages within the jurisdiction of Jamuria Police Station. As per the averments in the writ petition the said road is not properly maintained and is being illegally encroached.

Learned counsel for the State has submitted that this issue can be looked into by the respondent no.3. The mass representation which is submitted by the petitioners is not addressed to the appropriate authority. Hence, we dispose of the present writ petition permitting the petitioners to file an appropriate representation before the respondent no.3 and on receipt of the same the respondent no.3 will give an opportunity of hearing to all the concerned parties and take an appropriate decision in

accordance with law as expeditiously as possible, preferably within a period of three months from the date of receipt of the representation.

Needless to say that the illegal encroachment on the public road cannot be permitted. Hence, the said respondent will duly keep in mind the above aspect of the matter while deciding the representation.

The writ petition is accordingly disposed of.

(Prakash Shrivastava, C.J.)

(Rajarshi Bharadwaj, J.)