

March 14, 2022
ARDR
(20)

WPA 14102 of 2021

Ghanashyam Bera & Ors.
Vs.
The State of West Bengal & Ors.

Mr. Manoranjan Jana,
Ms. Mitali Jana,

...for the petitioners.

Mr. Arjun Roy Mukherjee,
Mr. Suddhadeb Adak,

...for the State.

Affidavit of service filed by the petitioners is taken on record. None appears for the private respondent despite service.

The petitioners' complain is that the private respondent has raised illegal construction by encroaching upon the Government land adjoining their property, thereby obstructing the ingress and egress of the petitioners. The petitioners submitted a representation in this regard before the concerned authority on 28th April, 2021 which is yet to be disposed of. The petitioners pray for a direction upon the concerned authority to consider the said representation at the earliest.

Having considered the submissions made on behalf of the parties and material on record the writ petition is disposed of directing the 4th respondent to consider and dispose of the representation submitted by the petitioners dated 28th April, 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 petitioners and the private respondent, in accordance with law. The decision taken by the authority shall be communicated to the petitioners with a week thereof.

With such directions, WPA 14102 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.)