

49 20.09.2022

gd/ssd

WPA(P)/290/2022
SK. SABED ULLAH AND ORS.
VS
THE STATE OF WEST BENGAL AND ORS.

Mr. Bharat Ch. Simai
..for the Petitioners.

Mr. Jahar Lal De,
Mr. Wasim Ahmed
..for the State.

Mr. S.M. Hassan,
Ms. Anupama Yasmin
..for the Respondent Nos.18 to 21.

The affidavit of service filed by the petitioners is taken on record.

The affidavit-in-opposition filed by the respondent nos.18, 19, 20 and 21 is taken on record.

The allegation of the petitioners is that the land in Mouza – Kalindi, J.L. No.265, Plot Nos.1909, 1910, 1846, 1847, 1848, 1849, 1850, 1851, 1852, 1857 and 1855 are the government land and they were acquired by the Collector in the year 1959 vide L.A. Case No.119 of 1959-60 for the public purpose. The allegation of the petitioners is that certain illegal constructions have been raised forcibly on the public land causing inconvenience to the larger public.

When the matter is taken up today, the learned counsel for the petitioners has pointed out that the mass representation dated 1st February, 2022,

annexure “P-2” has already been submitted before the respondent no.3 i.e. District Magistrate, Purba Medinipur, but the said representation has not been decided till now.

The stand of the respondent nos.18, 19, 20 and 21 is that they have raised the construction on their private land, but this aspect can be looked into by respondent no.3.

Learned counsel for the State has fairly submitted that there is no objection in considering the petitioners’ representation dated 1st February, 2022.

Hence, we dispose of the present petition by directing the respondent no.3 to duly consider the petitioners’ representation dated 1st February, 2022 and take appropriate decision in accordance with law after giving an opportunity of hearing to all the concerned parties.

Let this exercise be completed within a period of four months from the date of receipt of a copy of this order.

The petition is accordingly disposed of.

(Prakash Shrivastava, C.J.)

(Rajarshi Bharadwaj, J.)

