

August 12, 2022
ARDR
(23)

WPA 13485 of 2022

Chandaneswar Sardar & anr.
Vs.
The State of West Bengal & Ors.

Ms. Malyasree Maity,
...for the petitioners.
Mr. Raj Kumar Sain,
...for the private respondent nos. 7 to 9.
Mr. Chandi Charan De,
Mr. Soumitra Bandyopadhyay,
...for the State.

Affidavit of service filed by the petitioners is taken on record.

Petitioners complain that the private respondent have raised unauthorised construction by encroaching upon a portion of the PWD land adjoining the petitioners' plots, thereby obstructing the ingress and egress of the petitioners. The petitioners seek liberty to submit a comprehensive representation before the concerned authority in this regard and pray for a direction upon the authority to consider the representation at the earliest.

Upon considering the submission made on behalf of the parties, the writ petition is disposed of with liberty to the petitioner to submit a comprehensive representation before the 5th respondent within a week from date. The 5th respondent is directed to consider and dispose of the representation submitted by the petitioners within three months from the date of receipt

thereof after affording reasonable opportunity of hearing to all the interested parties including the petitioners and the private respondents, in accordance with law.

With the above directions, WPA 13485 of 2022 is disposed of. There shall however, 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 upon compliance of necessary formalities.

(Suvra Ghosh, J.)