

**WPA 11552 of 2015**

Janaki Jana  
-vs-  
The State of West Bengal & ors.  
  
Ms. Pama Dey (Dhabal)  
...for the petitioner  
Mr. Chandi Charan De  
Mr. Soumitra Bandyopadhyay  
Mr. Anirban Sarkar  
Mr. P. B. Mahata  
....for the State Respondents

This is an application praying for a direction upon the respondent no. 4 to consider the representation of the petitioner regarding purported construction of an illegal structure in front of her property.

Affidavit of service filed on behalf of the petitioner is taken on record.

The notice could not be served upon the private respondents as the envelope returned back with an endorsement "unclaimed".

Learned counsel appearing on behalf of the petitioner submits as follows. The private respondents made an illegal construction on the side of a road and in front of her property. In spite of making representation before the concerned authorities, the wrong has not been remedied. The petitioner has made a representation dated 01.08.2014 before the concerned authority being the respondent no. 4. The illegal construction is still subsisting and the petitioner has subsequently made requests for taking appropriate

action, but in vain.

Learned Additional Government Pleader representing the State submits as follows. The respondent no.4 is the concerned authority who can consider the representation made by the petitioner in accordance with law.

I have heard the submissions of the learned counsels appearing on behalf of the parties and have perused the writ petition.

It appears that the representation made by the petitioner regarding the alleged illegal construction by the private respondents has not been considered by the said authority.

In the interest of justice, let the respondent no.4 consider the representation of the petitioner in accordance with law within three months from the date of communication of this order after giving opportunity of hearing to the petitioner and all the interested parties.

Since affidavits were not called for, allegations made in the petition are deemed not to have been admitted.

With these observations, the writ petition is disposed of.

Urgent photostat certified copies of this order may be delivered to the learned Advocates for the parties, if applied for, upon compliance of all formalities.

**(Jay Sengupta, J.)**