

25
17.08.2022
Ct. No.10
b.das

WPA 14193 of 2022

Sk. Abdur Rouf
Vs.
The State of W. B. & Ors.

Mr. Bhagabat Chowdhury
Sk. Toslim Ali
Ms. Saba Parween ...for the petitioner.

Mr. Sirsanya Bandyopadhyay
Mr. A. K. Nag ...for the State.

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

Heard learned counsels for the parties.

None appears for the Amta Gram Panchayat despite service.

On prayer of the petitioner, liberty is granted to implead the Assistant Engineer, Amta Highway Division as respondent No.13 in the writ petition. The cause title of the writ petition be amended accordingly.

The petitioner is aggrieved by the unauthorised construction raised by the private respondents upon PWD land adjoining the land of the petitioner thereby obstructing his egress and ingress.

The petitioner submitted a representation in this regard before the concerned authority on 20th June, 2022, which is yet to be disposed of. The petitioner prays for

direction upon the authority to consider the representation at the earliest.

It is submitted on behalf of the State respondents that the added respondent may be directed to deal with the representation after hearing all the parties, in accordance with law.

It is submitted on behalf of the private respondents that they have been occupying the plot in question for a long time and have purchased the shop room standing on the said plot.

Upon consideration of submission made on behalf of both the parties and material on record, the writ petition is disposed of directing the Assistant Engineer being the 13th respondent herein to consider and dispose of the representation submitted by the petitioner dated 20th June, 2022 within three months from the date of communication of this order after affording reasonable opportunity of hearing to all the interested parties including the petitioner, in accordance with law.

With the above observations and directions, the writ petition being WPA 14193 of 2022 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.)