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jdt.

03.11.2022
jb.

W.P.A. 16687 of 2022
(Ashim Kr. Kar vs. State of West Bengal & Ors.)

Mr. Shekhar Barman
Mr. Sukanta Chakraborty
Mr. Rohit Prasad
.... For the Petitioner
Mr. C. C. De
Ms. Reshmi Rahman
.... For the State

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

The petitioner challenges the notice issued to him on 5th July, 2022 by the Assistant Engineer-I, Purulia Investigation and Planning Division requesting him to evacuate the Government land illegally occupied by him.

Learned counsel for the petitioner submits that though joint measurement was held in the plot in question in his presence, the documents relied upon by the authority in the said inspection were not provided to him. The petitioner seeks liberty to submit an objection/representation before the concerned authority in this regard and prays for a direction upon the authority to consider the objection/representation at the earliest.

Since the petitioner is aggrieved by the notice issued on 5th July, 2022 and intends to approach the authority for redressal of his grievance, the writ petition is disposed of with liberty to the petitioner to submit an objection/representation before the concerned authority ventilating his grievance within fourteen days from date.

It is submitted on behalf of the State respondents that the 3rd respondent be directed to consider such objection/representation in accordance with law.

Accordingly 3rd respondent is directed to consider and dispose of the objection/representation submitted by the petitioner within two months from the date of receipt thereof after affording reasonable opportunity of hearing to all the interested persons including the petitioner, in accordance with law.

The decision taken by the authority shall be communicated to the petitioner within a week thereof.

W.P.A. 16687 of 2022 is thus disposed of.

There shall be no order as to costs.

Since no affidavit has been invited, allegations contained in the writ petition shall be deemed not to have been admitted.

Urgent certified website copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

(Suvra Ghosh, J.)