

WPA 16895 of 2022

Md. Siraz Layek & Ors.
Vs.
The State of W.B. & Ors.

Mr. Indradeep Pal
Mr. M. F. Rahaman
Mrs. S. Pal (Das) ...for the petitioners.

Mr. Chandi Charan De
Mr. Chandana Ghosh ...for the State.

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

Heard learned counsels for the parties.

The petitioners claim to be recorded owners of the plot in question and complain that after being in possession of the said plot since 1976, a notice has been fixed in the plot by the State respondents, declaring that the plot is vested with the Government, though no earlier communication in this regard was made to the petitioners.

The petitioners have drawn the attention of this Court to the Record of Rights at Annexure P-5 to the writ petition which demonstrates that the plot in question has already been vested with the Government.

The petitioners intend to submit a comprehensive representation before the concerned authority ventilating

their grievance and pray for a direction upon the concerned authority to consider their representation at the earliest.

It is submitted on behalf of the State respondents that the Block Development Officer, Burdwan-I, being the 5th respondent, be directed to consider the representation submitted by the petitioners, in accordance with law.

Upon consideration of the submission made on behalf of the parties, the writ petition is disposed of with liberty to the petitioners to submit a comprehensive representation ventilating their grievance before the 5th respondent within one week from date. The 5th respondent is directed to consider and dispose of the representation within a period of one month from the date of receipt thereof after granting reasonable opportunity of hearing to all the interested parties including the petitioners, in accordance with law.

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

Pending disposal of the representation submitted by the petitioners, let there be an order of status quo upon both the parties in respect of the nature, character and possession of the plot in question as on this date.

With the above observations and directions, the writ petition being WPA 16895 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.)