

21
25.01.2022
Ct. No.10
b.das

W.P.A. 18012 of 2021

(Via Video Conference)

Dilip Dalui
Vs.
State of W.B. & Ors.

Mr. Bhagbat Chaudhuri ...for the petitioner.

Mr. Nilotpall Chatterjee ...for the State.

Affidavit of service filed by the petitioner be taken on record.

None appears on behalf of the 5th respondent despite service.

Heard learned counsels for the parties.

The contention of the petitioner is that he acquired right, title, interest and possession in respect of the property in question by virtue of purchase by two registered deeds in 1998. The petitioner complains that the gram panchayat authority has undergone construction of pucca road through the village and has thereby occupied a portion of the land of the petitioner without due process of law.

The petitioner submitted a representation ventilating his grievance before the concerned authority on 16th October, 2021 in this regard. The said representation is

yet to be disposed of. The petitioner prays for direction upon the concerned authority to consider the representation at the earliest.

It is submitted on behalf of the State respondents that the 4th respondent be directed to consider the representation within a stipulated time frame.

Upon consideration of the submissions made on behalf of the parties and material on record, the writ petition is disposed of directing the respondent No.4 to consider and dispose of the said representation filed by the petitioner dated 16th October, 2021, within a period of two months from the date of communication of this order, after affording reasonable opportunity of hearing to all the interested parties including the petitioners, in accordance with law.

It is made clear that this Court has not gone into the merits of the case and the parties shall be at liberty to place all their points as contended in the writ petition before the authority at the time of hearing.

With the above observations and directions this writ petition being WPA 18012 of 2021 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.)