

November 3, 2022
ARDR
(22)

WPA 17574 of 2022

Ramesh Chandra Das
Vs.
The State of West Bengal & ors.

Adv. Salil Kumar Maity,
Adv. Jayatri Basu Roy,
...for the petitioner.
Adv. Sirsanya Bandyopadhyay,
Adv. Arka Kumar Nag,
...for the State.

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

None appears for the private respondent despite service.

The petitioner is aggrieved by the fact that the private respondent is raising unauthorised construction by encroaching upon a portion of PWD land adjoining his property, thereby obstructing his egress and ingress. The petitioner submitted a representation before the concerned authority in this regard on 13th June, 2022 which is yet to be considered. The petitioner prays for a direction upon the 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 in accordance with law.

In view of the above, the writ petition is disposed of directing the 4th respondent to consider and dispose of the representation submitted by the petitioner dated 13th June, 2022 within three months from the date of communication

of this order after affording reasonable opportunity of hearing to all the interested persons including the petitioner and the private respondent, in accordance with law.

With the aforesaid directions, WPA 17574 of 2022 is disposed of. There shall however, 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 furnished to the parties upon compliance of necessary formalities.

(Suvra Ghosh, J.)