

24.11.2022
rc/ct.no.10
Item No.35

WPA No. 17985 of 2022

Mr. Balaram Pandit
Mr. Amit Nath ...for the petitioners

Mr. Ashim Kumar Ganguly
Mr. Bellal Shaikh ...for the State

Affidavit of service filed in Court today is taken on record.

None appears on behalf of the private respondents despite service.

The grievance of the petitioners is that the private respondents have raised unauthorised construction by encroaching upon a portion of the PWD land adjoining their property, thereby obstructing their ingress and egress. The petitioners have submitted a representation before the concerned authority in this regard on 25.07.2022 which is yet to be considered.

The petitioners pray for a direction upon the concerned authority to consider the representation at the earliest.

It is submitted on behalf of the State-respondents that the 5th respondent be directed to consider the representation in accordance with law.

In view of the above, the writ petition is disposed of directing the 5th respondent to consider and dispose of the representation submitted by the petitioners on 25.07.2022

within a period of three months from the date of communication of this order, after giving reasonable opportunity of hearing to all the affected parties including the petitioners and the private respondents, in accordance with law.

With the above observations and directions this writ petition is disposed of.

There shall be, however, 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)