

28.01.2022
rc/ct.no.10
Item No.33

WPA No. 18873 of 2021
Sanjay Halder
Vs.
The State of West Bengal & Ors.
(VIA VIDEO CONFERENCE)

Mr. S. Maity ...for the Petitioner

Mr. Ansar Mandal
Mr. Saugata Mitra ...for the State

Mr. Debobrata Chakraborty
Mr. Soumen Bhattacharjee
...for the private respondent

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

The petitioner complains that the private respondent has raised illegal construction by encroaching upon PWD land and has thereby obstructed the ingress and egress of the petitioner. The petitioner submitted a representation ventilating his grievance before the concerned authority on September 24, 2021 which is still pending. The petitioner prays for a direction upon the concerned authority to consider the representation at the earliest.

It is submitted by the learned counsel appearing on behalf of the State-respondents that the respondent no. 5 may be directed to dispose of the representation within a stipulated period of time.

Learned counsel appearing on behalf of the private respondent denies the allegation of the petitioner and

submits that no portion of the PWD land has been encroached upon by the private respondent.

Upon consideration of the submissions made by the learned counsels appearing on behalf of the parties and the material on record, the writ petition is disposed of by directing the respondent no. 5 to consider and dispose of the representation submitted by the petitioner on September 24, 2021 within a period of three months from the date of communication of this order, after giving reasonable opportunity of hearing to all the interested parties including the petitioner and the private respondent, in accordance with law.

With the above observations and directions this writ petition being WPA No. 18873 of 2021 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)