

7th September, 2022
(D/L No.17)
(SKB)

W.P.A. 18530 of 2022

Shanti Ranjan Roy
-Versus-
The State of West Bengal and others

Mr. Timir Baran Saha
... for the petitioners.

Md. Sarwar Jahan,
Mr. Asraf Mondal,
Mr. Maidul Islam Kayal
... for respondent nos.6 to 8.

Ms. Sutapa Sanyal,
Mr. Anand Farmania
... for the State.

The affidavit of service is taken on record.

The prayer in the writ petition is for a direction on the B.L. & L.R.O. Tehattal, Nadia to act in terms of a letter dated 15th June, 2022 from the Assistant Engineer, P.W.D., Krishnagar Sub-Division. The petitioner seeks removal of an unauthorised construction in front of his house caused by the private respondents.

Learned counsel appearing for the State seeks some time to implement the direction of the letter dated 15th June, 2022.

Learned counsel appearing for the private respondent nos.7 and 8 submits that the petitioner is a foreign national and that the private respondents have

filed a preemption suit against the petitioner which has been suppressed by the petitioner.

Upon hearing learned counsel, this court is of the view that the writ petition may be disposed of with a direction on the respondent no.5 being the B.L. & L.R.O., Tehatta, Nadia to determine the rival contentions of the parties including the claim of the unauthorised construction made by the private respondents and pass a reasoned order within a period of four weeks from today. A copy of the reasoned order shall be made available to both the petitioners and the private respondents within a week from the date of such order. The reasoned order shall be passed upon hearing all the parties. The contention with regard to the petitioner allegedly being a foreign national shall be determined by the respondent no.2 being the Sub-Divisional Officer-cum-Executive Magistrate, Tehatta Sub-Division, Tehatta, Nadia within four weeks from today and order to that effect shall also be made available to the parties within a week from the date of such order.

(Moushumi Bhattacharya, J.)