

23
25.02.2022
Ct. No.10
b.das

W.P.A. 19330 of 2021

(Via Video Conference)

Ardhendu Sekhar Jana
Vs.
State of W. B. & Ors.

Mr. Bhagabat Chowdhury
Mr. Ghanashyam Patra
...for the petitioner.

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

None appears on behalf of the State respondents despite service.

Mr. Soumitra Bandyopadhyay, who usually appears for the State and is present in Court, is requested to represent the State in the matter. His appointment be regularized by the office of the learned Legal Remembrancer.

The petitioner should serve copy of the writ petition alongwith all annexures thereto to Mr. Bandyopadhyay in course of this day.

It is submitted on behalf of the petitioner that in reconstructing the village pathway adjoining his plot, the respondents have encroached upon a portion of his land and have constructed a concrete road in its place.

The petitioner submitted a representation before the concerned authority on 9th February, 2021 for compensation with regard to the encroached portion of his land which is yet to be disposed of. The petitioner prays for a direction upon the authority to consider the representation at the earliest.

Having considered the submissions made on behalf of the parties, the writ petition is disposed of directing the 3rd respondent to consider and dispose of the representation submitted by the petitioner dated 9th February, 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 petitioner, in accordance with law.

The decision taken by the authority shall be communicated to the petitioner within a week thereafter.

With the above observations and directions this writ petition being WPA 19330 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.)