

24
08.03.2022
Ct. No.10
b.das

W.P.A. 19344 of 2021

(Via Video Conference)

Durgapada Sahoo & Ors.
Vs.
State of W. B. & Ors.

Mr. Bharat Ch. Simai ...for the petitioners.

Mr. Samrat Sen
Mr. Nilotpall Chatterjee ...for the State.

Affidavit of service filed on behalf of the petitioners is kept with the record.

Private respondents are not represented despite service.

Heard learned counsels for the parties.

The grievance of the petitioners is that the private respondents have raised unauthorized construction by encroaching upon PWD road and have thereby obstructed the egress and ingress of the petitioners.

The petitioners submitted a representation in this regard before the concerned authority on 25th October, 2021, which is yet to be disposed of. The petitioners pray for a direction upon the authority to consider the representation at the earliest.

Upon consideration of the submissions made on behalf of the parties and material on record, the writ petition is disposed of directing the 4th respondent to consider and dispose of the representation submitted by the petitioners dated 25th October, 2021 within a period of three months from the date of communication of this order, after affording reasonable opportunity of hearing to all the interested parties including the petitioners and the private respondents, in accordance with law.

It is made clear that this Court has not gone into the merits of the case and the parties shall be at liberty to place the respective contentions before the competent authority at the time of hearing.

With the above observations and directions this writ petition being WPA 19344 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.)