

29.09.2022
rc/ct.no.10
Item No.03

WPA No. 20070 of 2022

Mr. Kamalesh Bhattacharjee	
Mr. Uttam Chakraborty	...for the petitioner
Mr. Soumitra Bandyopadhyay	
Mr. Subhasis Bandyopadhyay	...for the State
Mr. Sourav Mondal	...for the UOI

Supplementary affidavit filed by the petitioner is taken on record.

The petitioner is aggrieved by encroachment of a portion of his land by the PWD Authority by construction of a road. The petitioner seeks liberty to submit a comprehensive representation before the authority in this regard and prays for a direction upon the authority to consider the representation at the earliest.

It is submitted on behalf of the State-respondents that such representation may be submitted before the 9th respondent who may cause demarcation of the plot in question and take necessary steps in the event it is found that encroachment has been made.

In view of the above, the writ petition is disposed of with liberty to the petitioner to submit a comprehensive representation ventilating his grievance before the 9th respondent within three weeks from date.

The 9th respondent shall consider and dispose of the representation within two months from the date of receipt thereof after affording reasonable opportunity of hearing to all the interested parties including the petitioner in accordance with law.

The 9th respondent shall take necessary steps for demarcation of the plot in question and in the event it is found that the land of the petitioner or any portion thereof has been encroached by the authority, necessary steps shall be taken by the authority in accordance with law.

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

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)