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04.05.2022
Ct. No.10
b.das

WPA 20855 of 2021
+
CAN 1 of 2021
+
CAN 2 of 2022

Samir Naskar
Vs.
State of W.B. & Ors.

Mr. Partha Chakraborty ...for the petitioner.

Mr. Susovan Sengupta
Mr. Subir Pal ...for the State.

Mr. Siva Prasad Ghose
...for the respondent Nos.12 & 14.

Heard learned counsels for the parties.

It is contended on behalf of the petitioner that the private respondents have raised unauthorised construction by encroaching upon the PWD land, thereby obstructing the egress and ingress of the petitioner.

The petitioner submitted a representation before the concerned authority in this regard on 9th December, 2021, which is yet to be disposed of. The petitioner prays for a direction upon the authority to consider the representation at the earliest.

It is submitted on behalf of the private respondents that the private respondents have acquired title and possession in respect of the plot in question by virtue of two registered deeds.

It is submitted on behalf of the State respondents that the concerned authority be directed to consider the representation submitted by the petitioner within a stipulated time frame.

In view of the above, the writ petition is disposed of directing the 6th respondent to consider and dispose of the representation submitted by the petitioner dated 9th December, 2021 within three months from the date of communication of this order after affording reasonable opportunity of hearing to all the interested parties including the petitioner 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 their respective contentions before the authority at the time of hearing.

With the above observations and directions this writ petition being WPA 20855 of 2021 along with CAN 1 of 2021 and CAN 2 of 2022 are 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.)