

19  
jdt.

**25.11.2022**  
**jb.**

**W.P.A. 21053 of 2022**  
**(Hasibur Mondal vs. State of West Bengal & Ors.)**

**Mobaidur Hossain**  
**.... For the Petitioner**  
**Mr. Partha Pratim Roy**  
**Mr. R. C. Guchhait**  
**.... For the State**

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

None appears for the private respondent despite service.

The grievance of the petitioner is that the private respondent has raised illegal construction by encroaching upon a portion of the P.W.D road adjoining his property, thereby obstructing his egress and ingress. The petitioner submitted a representation before the concerned authority in this regard on 22<sup>nd</sup> August, 2022 which is yet to be considered. The petitioner prays for a direction upon the authority to consider the representation at the earliest.

It is submitted on behalf of the State respondents that the 5<sup>th</sup> respondent be directed to consider the representation, in accordance with law.

In view of the above, the writ petition is disposed of directing the 5<sup>th</sup> respondent to consider and dispose of the representation submitted by the petitioner dated 22<sup>nd</sup> August, 2022 within three months from the date of communication of this order upon affording reasonable opportunity of hearing to all the interested persons including the petitioner and the private respondent, in accordance with law.

The writ petition is thus disposed of.

There shall be no order as to costs.

Since no affidavit has been invited, allegations contained in the writ petition shall be deemed not to have been admitted.

Urgent certified website copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

**(Suvra Ghosh, J.)**