

72 26.07.2022

gd/ssd

WPA/22861/2016

SAYEED AHAMED & ORS.
VS
THE STATE OF WEST BENGAL & ORS.

Mr. Kamlesh Jha,
Mr. Biswajit Tiwari

..for the Petitioners.

Mr. Jahar Lal De,
Mr. Shamim ul Bari

..for the State.

The petitioners have raised the plea in this petition that in Dag No.773, Mouza - Choto Sujapur, there is a road which is used by the people of Chama and Dholipara village which leads to the graveyard.

The allegation of the petitioners is that the respondent no.8 has adjoining land who has encroached upon the road and has reduced the width of the road.

Learned counsel for the State has fairly submitted that if the petitioner files an appropriate representation before the respondent no.6 i.e. District Magistrate, Malda, the petitioners' grievance can be duly looked into.

Learned counsel for the petitioners has submitted that the writ petition itself is in the form of comprehensive representation, therefore, the petitioners

be permitted to file the writ petition in the form of representation before the respondent no.6 and appropriate direction be issued.

Hence, we dispose of the present petition by permitting the petitioners to file an appropriate detailed representation including the writ petition and annexures therewith before the respondent no.6 and on receipt of the said representation, the respondent no.6 will duly look into the grievance of the petitioners and cause an enquiry to be made and after giving an opportunity of hearing to all the concerned parties will take an appropriate action in accordance with law.

Let this exercise be completed within a period of three months from the date of receipt of the said representation.

The petition is, accordingly, disposed of.

(Prakash Shrivastava, C.J.)

(Rajarshi Bharadwaj, J.)

