

07
14.12.2022
Ct. No.10
b.das

WPA 26519 of 2022

Sujit Mandal & Ors.
Vs.
The State of W.B. & Ors.

Mr. Arijit Bakshi ...for the petitioners.

Mr. Chandi Charan De
Mr. A. Sarkar ...for the State.

Affidavit of service filed by the petitioners is taken on record.

None appears for the private respondents despite service.

Heard learned counsels for the parties.

The petitioners claim to be recorded owners of plots of land utilized for residential as well as commercial purpose by the side of the Basanti Highway.

The petitioners complain that in the garb of extension of Basanti Highway, a portion of their residential and commercial units has been demolished by the State authorities without serving any notice to the petitioners or without taking recourse to due process of law.

The petitioners submitted a representation in this regard before the concerned authority on 20th October, 2022, which has not been heeded to. The petitioners pray for a direction upon the authority to consider the representation at the earliest and a further direction

restraining the authority from taking further coercive steps in respect of the plots in question till the representation is disposed of.

It is submitted on behalf of the respondents that the 5th respondent be directed to consider the representation in accordance with law.

In view of the above, the writ petition is disposed of directing the 5th respondent to consider and dispose of the representation submitted by the petitioners dated 20th October, 2022 within a period of one month from the date of communication of this order, upon affording reasonable opportunity of hearing to all the interested parties including the petitioners, in accordance with law.

The petitioners shall be at liberty to place relevant documents before the concerned authority in support of their claim and the concerned authority shall disclose all the documents banked upon by them in occupying the property of the petitioners.

Pending disposal of the representation no further coercive step shall be taken by the authority against the petitioners in respect of the plots in question.

With the above observations and directions this writ petition being WPA 26519 of 2022 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.)