

08.12.2022
sayandeep
Sl. No. 03
Ct. No. 05

WPA 27105 of 2022

Susanta Mondal & Ors.
-Versus-
The State of West Bengal & Ors.

Mr. Biswaroop Bhattacharyya (V.C.)
Mr. Priyabrata Thakur
Mr. Arya Bhattacharyya
Mr. Snehyasish Dey

.....for the petitioners

Mr. Nilotpall Chatterjee
Mr. Amrita Lal Chatterjee

.....for the State

The petitioners apprehend demolition of a property situated at Dakshin Purusottampur. The demolition was to take place sometime in December, as pleaded in paragraph 14 of the writ petition where the petitioners state that the office of the Mandarmoni Coastal Police has threatened the petitioners with dispossession as on 2nd September, 2022. The petitioners made a representation before the concerned authorities on 3rd December, 2022 (wrongly typed as 2012 in the writ petition) and received by the authorities on 5th December, 2022. The petitioners were given a Notice dated 26th September, 2022 to appear in a hearing on 13th October, 2022. The petitioners appeared in the hearing and the impugned order was passed thereafter on 13th October, 2022.

The petitioners are yet to file an appeal before the District Magistrate, Purba Medinipur. The statutory time period for filing the appeal has already expired.

Considering the submissions made on behalf of the parties, the District Magistrate/appellate authority is directed to hear and consider the appeal filed by the petitioners within a period of four weeks subject to the petitioners filing the appeal within one week from today.

The delay on the part of the petitioners in filing of the appeal (if filed) is condoned. The petitioners shall be heard and the decision taken by the appellate authority shall be communicated to the petitioners within a week from the date of the decision. The respondents shall in the meantime not take any action as directed by way of the impugned order or as verbally communicated to the petitioners until further orders are passed by the appellate authority.

WPA 27105 of 2022 is disposed of in terms of the above.

(Moushumi Bhattacharya, J.)