

27
28.02.2022
d.p.

**Calcutta High Court
In the Circuit Bench at Jalpaiguri
Appellate Jurisdiction**

**W.P.A 68 of 2022
(Via Video Conference)**

**Rabiul Haque
-versus
State of West Bengal & Ors.**

**Ms. Jagriti Mishra.
...For the Petitioner.**

**Mr. Subir Kumar Saha,
Ms. Bedashruti Bose.
...For the State.**

The petitioner is aggrieved by the act of the respondent authority in not taking steps to consider his representation appearing at page 46 of the writ petition which has been addressed to the Pradhan of the Balabhut Gram Panchayat, Cooch Behar on 20th September, 2020. The petitioner, thereafter, filed a reminder to his earlier representation on 4th January, 2021.

He alleges that none of his representations has been considered till date.

The petitioner primarily prays for issuance of 'No Objection Certificate' upon payment of his dues, so that, he can participate in the auction process.

The petitioner relied upon orders passed by this Court in similar occasions.

As it appears that the representation of the petitioner is pending consideration at the end of the Pradhan, Balabhut Gram Panchayat, Cooch Behar, accordingly, no useful purpose will be served by keeping the writ petition pending.

The writ petition is, accordingly, disposed of by directing the Pradhan of Balabhut Gram Panchayat, Cooch Behar being the respondent no. 3 herein to consider the representation made by the petitioner on 20th September, 2020 followed by the reminder dated 4th January, 2021 strictly in accordance with law, at the earliest, but positively within a period of three weeks from the date of communication of a copy of this order.

The aforesaid respondent shall grant an opportunity of hearing to the petitioner prior to taking a decision with regard to his representation. The said respondent shall pass a reasoned order and communicate the same to the petitioner immediately thereafter.

Be it recorded that the Court has not entered into the merits of the claim of the petitioner and all points are left open to be decided by the said respondent at the time of consideration of his representation.

The writ petition stands disposed of.

Urgent certified photo copy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)