

14.06.2022
rc
Item No.23

**IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri
Constitutional Writ Jurisdiction**

WPA No. 1029 of 2022

Mrs. Suman Sehanabis (Mondal)
Mr. Biswajit Deb

...for the petitioner

Mr. Hirak Barman
Mrs. Bedashruti Bose

...for the State

The innocuous prayer of the petitioner is for consideration of the representation submitted by him before the Sub-Divisional Officer, Siliguri on November 02, 2020.

The petitioner is the Secretary of Ranidanga Netji Mini Market under which Ranidanga Bazar was functioning for the last 60 years. In the month of March, 2020, upon request of the Block Development Officer, Naxal Bari Development Block, the said market was shifted to the land under Ranidanga Kalaram High School as a temporary arrangement to avoid unnecessary gathering to control the spread of Covid-19. Due to water logging in the said land during monsoon, the vendors were compelled to shift the market on PMGSY Road but have been finding it difficult to continue the market on the road after reopening of schools, colleges and other

establishments. The petitioner submitted several representations before the concerned authority with a request to shift the market to the original site but no effect.

Pursuant to representation submitted by the petitioner on November 02, 2020 a hearing was fixed by the Sub-Divisional Officer, Siliguri on December 27, 2021 which was attended by the petitioner and others but no further communication has been made to the petitioner since then. The petitioner prays for direction upon the authority to consider the representation at the earliest.

Upon consideration of the submission made on behalf of the parties and materials on record, this Court is of the view that as hearing of the representation dated November 02, 2020 has commenced, the concerned authority should be directed to dispose of the same within a stipulated time frame.

In view of the same, the writ petition is disposed of directing the 6th respondent to consider and dispose of the representation filed by the petitioner dated November 02, 2020 within one month from the date of communication of this order after affording reasonable opportunity of hearing to all the interested parties including the petitioner, in accordance with law.

The decision taken by the authority should be communicated to the petitioner within a week thereafter.

With the above observations and directions this writ petition is disposed of.

There shall be, however, 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 furnished to the parties upon compliance of necessary formalities.

(Suvra Ghosh,J)