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jdt.

23.08.2023
jb.

W.P.A. 93 of 2023
(Amar Kumar Gorai vs. State of West Bengal & Ors.)

Mr. Kartick Kumar Bhattacharyya
Mr. Subhas Chandra Dutta
.... **For the Petitioner**
Mr. Santanu Kr. Mitra
Mr. Amartya Pal
.... **For the State**

It is submitted on behalf of the petitioner that the title suit filed before the civil Judge, Junior Division, 2nd Court, Burdwan has been withdrawn by the petitioner.

The petitioner submits that out of 13 decimals of land owned by the petitioner in Plot No. 615, Khaitan No. 15 of Mouza Amdob, J.L. 40, District Burdwan originally belonging to his father, 7 decimals were acquired by the State by due process of law. It was subsequently found that out of remaining 6 decimals of land in the plot, 4 decimals were utilised by the respondents without acquisition. The petitioner made several representations before the concerned authority seeking return of the said 4 decimals of land encroached upon by them, but to no effect. The petitioner submitted a fresh representation before the concerned authority on 5th July, 2022 which is also not considered till date. The petitioner seeks a direction

upon the authority to consider the representation at the earliest.

Denying and disputing the contention of the petitioner made in the writ petition, learned counsel for the State respondents submits that the 2nd respondent be directed to consider the representation submitted by the petitioner in accordance with law.

In view of the above, the writ petition is disposed of directing the 2nd respondent to consider and dispose of the representation submitted by the petitioner dated 5th July, 2022 within one month from the date of communication of this order upon affording reasonable opportunity of hearing to all the interested persons including the petitioner, in accordance with law.

The decision taken by the authority shall be communicated to the petitioner within a week thereof.

The writ petition is thus disposed of.

There shall be no order as to costs.

Since no affidavit has been invited, allegations contained in the writ petition shall be deemed not to have been admitted.

Urgent certified website copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

(Suvra Ghosh, J.)