

12.07.2023
rc/ct.no.10
Item No.10

WPA No. 535 of 2023
Sorabuddin Khan
Versus
The State of West Bengal & Ors.

Mr. Dhananjoy Banerjee	
Mr. Jisan Iqbal Hossain	...for the petitioner
Mr. Chandi Charan De	...for the State

Affidavit of service filed in Court today is taken on record.

None appears on behalf of the respondents despite service.

Mr. Chandi Charan De, learned advocate, who usually appears on behalf of the State-respondents and is present in Court today, is requested to represent the State-respondents in this matter. The office of the learned Legal Remembrancer is requested to regularise the service of Mr. De in this matter.

The petitioner is directed to serve a copy of this application along with annexures thereto upon Mr. De in course of this day.

The petitioner claims to be recorded owner of the plot in question and complains that the private respondent has raised unauthorised construction by encroaching upon a portion of the PWD road adjoining his property, thereby obstructing his ingress and egress. The petitioner

submitted representation in this regard before the concerned authority on 22nd August, 2022 which is yet to be considered.

The petitioner prays for a direction upon the concerned authority to consider the said representation at the earliest.

It is submitted on behalf of the State-respondents that the 6th respondent be directed to consider the representation in accordance with law.

In view of the above, the writ petition is disposed of directing the 6th respondent to consider and dispose of the representation submitted by the petitioner on 22nd August, 2022 within a period of three months from the date of communication of this order, after giving reasonable opportunity of hearing to all the affected persons including the petitioner and the private respondents, in accordance with law.

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

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

(Suvra Ghosh,J)