

September 14, 2023

ARDR (40)

WPA 182 of 2020

Narayan Debnath

Vs.

The State of West Bengal & Ors.

Adv. Tulsidas Roy,
Adv. Mahadeb Sarkar,

...for the petitioner.

Adv. Jayanta Samanta,
Adv. Manas Kumar Sadhu,

...for the State.

Affidavit of service filed by the petitioner is taken on record.

None appears for the private respondents, despite service.

The petitioner claims to be the recorded owner of the plot in question and submits that the private respondents have raised unauthorised construction by encroaching upon a portion of the PWD land adjoining his property, thereby obstructing his egress and ingress. The petitioner submitted a representation in this regard before the concerned authority on 4th September, 2019 which is yet to be considered. The petitioner prays for a direction upon the authority to consider the representation at the earliest.

It is submitted on behalf of the State respondents that the 5th respondent be directed to consider the representation in accordance with law.

In view of the above, the writ petition is disposed of directing the 5th respondent to consider and dispose of the

representation submitted by the petitioner dated 4th September, 2019 within three months from the date of communication of this order upon affording reasonable opportunity of hearing to all the interested persons including the petitioner and the private respondents, in accordance with law.

With the aforesaid observations and directions, the writ petition, being WPA 182 of 2020 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.)