

26 **13.02.2023**

gd/ssd

WPA(P)/19/2023
NAMITA GAYEN
VS
STATE OF WEST BENGAL AND ORS.

Mr. Shibaji Kumar Das,
Ms. Rupsa Sreemani
..for the Petitioner.

Mr. Jahar Lal De,
Mr. Amrit Lal Chatterjee
..for the State.

Mr. Tamal Tanu Panda
..for the Respondent Nos.9 and 10.

Mr. Susenjit Banik
..for the Respondent Nos.11 to 16.

Affidavit-in-opposition filed by the private respondents is taken on record.

In this public interest petition the allegation is that there is a government vested land appertaining to R.S. Dag No.2682, L.R. Dag No.3769 and R.S. Dag No.2683/7408, L.R. Dag No.3781, J.L. No.11, Touzi No.2714 situated at Village – Kakdwip Purba Bazar and there is also a public road appertaining to R.S. Dag No.2675/7411 and R.S. Dag No.2699 in the same village which has been illegally encroached by the private respondents and now the private respondents are in the process of raising pacca construction thereupon.

Learned counsel for the petitioner has referred to

the representation dated 19th December, 2022, annexure “P-6”, inter alia, addressed to the respondent no.5 i.e. Additional District Magistrate and District Land and Land Reforms Officer and has submitted that though a complaint in this regard was made, but no action has been taken.

Learned counsel for the State has fairly submitted that there is no objection in considering the petitioner’s grievance reflected in the representation.

Hence, we dispose of the present petition by directing the respondent no.5 to consider the petitioner’s representation dated 19th December, 2022 in accordance with law and take appropriate action after giving an opportunity of hearing to all the concerned parties as expeditiously as possible preferably within a period of three months from the date of receipt of a copy of this order.

The petition is accordingly disposed of.

(Prakash Shrivastava, C.J.)

(Rajarshi Bharadwaj, J.)

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