

16.10.2023

Ct. no.654

Sl. Nos 11

sn

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION**

WPA 1543 2023

**Sanjit Mondal
Vs.
State of West Bengal & Ors.**

Mr. Dyutiman Banerjee
Mr. Vishal Mallick
..for the petitioner

Mr. Ali Ahasan Alamgir
Mr. Bani Israi
Ms. Soma Mal
Ms. Rabia Khatun
..for the respondent no.5
Mr.Chandi Charan De
Mr. Anirban Sarkar
..for the State

This writ petition is filed by the petitioner under Article 226 of the Constitution of India for considering his representation dated 23rd December, 2022.

The dispute raised is that the private respondent no.5 has allegedly encroached upon the PWD land. The petitioner made a representation on 23rd December, 2022 but the same has not been considered as yet. Hence, this writ petition.

Mr. Dyutiman Banerjee, learned advocate for the petitioner submits that in spite of repeated persuasion the representation made by the petitioner in relation to encroachment on the PWD land has not yet been considered by the concerned authority. He submits for passing necessary direction.

Mr. Chandi Charan De, learned Additional Government Pleader for the State respondents submits that the direction be given to the respondent no.3, Assistant Engineer, Lalbagh Sub Division, PWD, to consider the representation of the petitioner.

Mr. Ali Ahasan Ahasan Alamgir, learned advocate for the respondent no.5 submits that in the event direction is given for consideration of the representation of the petitioner, the respondent no.5 be given an opportunity of hearing.

Upon hearing the learned advocates for the respective parties, the respondent no.3, Assistant Engineer, Lalbagh Sub Division, PWD is directed to dispose of the representation of the petitioner dated 23rd December, 2022 within a period of three months from the date of communication of this order by a reasoned order after giving an opportunity of hearing to the petitioner, the respondent no.5 and other interested parties and result of such disposal be intimated to the parties within a week thereof.

With the aforesaid observation, the present writ petition being **WPA 1543 of 2023** stands disposed of. No order as to costs.

All connected applications, if any, stand disposed of.

Interim order, if any, stands vacated.

All concerned parties shall act in terms of the copy of the order downloaded from the official website of this Court.

Urgent photostat copy of this order, if applied for, be given to the parties upon compliance of necessary legal formalities.

(Bivas Pattanayak, J.)