

27.02.2023
rc/ct.no.10
Item No.51

WPA No. 1902 of 2021

Mr. Salil Kumar Maiti
Mrs. Pinki Saha ...for the petitioner

Mr. Rabindra Narayan Dutta
Mr. Hare Krishna Halder ...for the State

Md. Abdur Rakib ...for the private respondent

Heard learned counsels appearing on behalf of the parties.

The petitioner claims to be the recorded owner of the plot in question and submits that the private respondents are raising unauthorised construction of pacca structure by encroaching upon the Government/ vested land adjoining his property, thereby obstructing his ingress and egress. The petitioner has submitted a representation in this regard before the concerned authority on 29th October, 2020 which is yet to be considered.

The petitioner prays for a direction upon the concerned authority to consider the 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.

Upon consideration of the submission made by the parties the writ petition is disposed of directing the 6th respondent to consider and dispose of the representation

submitted by the petitioner on 29th October, 2020 within a period of one month from the date of communication of this order, upon affording 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 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)