

04
09.06.2023
Ct. No.10
b.das

WPA 1631 of 2023

Babli Hazra

Vs.

The State of West Bengal & Ors.

Mr. S. K. Bhattacharya

Mr. Sarthak Burman

...for the petitioner.

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

None appears for the respondents despite service.

Mr. Aniruddha Sen, who usually appears for the State and is present in Court, is requested to represent the State in the matter. His appointment be regularized by the office of the learned Legal Remembrancer.

The petitioner should serve copy of the writ petition alongwith all annexures thereto to Mr. Sen in course of this day.

On prayer of the petitioner liberty is granted to the petitioner to implead the Assistant Engineer, Public Works Department, Kakdwip Sub-Division as respondent No.12 in the writ petition. The cause title of the writ petition be amended accordingly.

Heard learned counsels for the parties.

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 road adjoining her plot, thereby obstructing her egress and ingress.

The petitioner submitted a representation in this regard before the concerned authority on 22nd November, 2022, 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 12th respondent be directed to consider the representation submitted by the petitioner, in accordance with law.

In view of the above, the writ petition is disposed of directing the 12th respondent to consider and dispose of the representation submitted on behalf of the petitioner dated 22nd November, 2022 within a period of three months from the date of communication of this order, after granting reasonable opportunity of hearing to all the interested persons including the petitioner and the private respondents, in accordance with law.

With the above observations and directions this writ petition being WPA 1631 of 2023 is disposed of.

However, there shall 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 supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)