

WPA 2183 of 2023

Rafijuddin Halsana & Anr.

Vs.

The State of West Bengal & Ors.

Md. Sarwar Jahan
Md. Ashraful Haq ...for the petitioners.

Sk. Md. Galib
Ms. Jyotsna Ray Mukherjee ...for the State.

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

None appears for the private respondents despite service.

Heard learned counsels for the parties.

The petitioners claim to be the recorded owners of the plot in question and submit that the private respondent has raised unauthorised construction by encroaching upon a portion of the PWD road adjoining their plot, thereby obstructing their egress and ingress.

The petitioners submitted a representation in this regard before the concerned authority on 2nd January, 2023, which is yet to be considered. The petitioners pray 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 8th respondent be directed to consider the

representation submitted by the petitioners, in accordance with law.

In view of the above, the writ petition is disposed of directing the 8th respondent to consider and dispose of the representation submitted on behalf of the petitioners dated 2nd January, 2023 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 petitioners and the private respondent, in accordance with law.

With the above observations and directions this writ petition being WPA 2183 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.)