

24.04.2023
rc/ct.no.10
Item No.14

WPA No. 2189 of 2023
Basudeb Naskar
Versus
The State of West Bengal & Ors.

Mr. Lakshminath Bhattacharya
.....for the petitioner

Mr. Partha Pratim Roy
Mr. Ram Chandra Guchait ...for the State

Affidavit of service filed in Court today is taken on record.

None appears for the private respondent despite service.

The petitioner claims to be recorded owner of the plot in question and submits that the private respondent has raised unauthorised construction by encroaching upon a portion of the PWD land adjoining his plot, thereby obstructing his ingress and egress. The petitioner submitted a representation in this regard before the concerned authority on 13th January, 2023 which is yet to be considered.

The petitioner prays for a direction upon the concerned authority to consider the said representation at the earliest.

It is submitted on behalf of the State-respondents that the 8th respondent be directed to consider the representation 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 said representation submitted by the petitioner on 13th January, 2023 within a period of three months from the date of communication of this order, after giving reasonable opportunity of hearing to all the affected persons including the petitioner and the private respondent, 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)