

WPA 2479 of 2023

Sk. Seher Ali & ors.

Vs.

The State of West Bengal & Ors.

Adv. Raj Kumar Sain,

...for the petitioners.

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

None appears for the respondents, despite service.

Mr. Chandi Charan De, who usually appears for the State and is present in Court today, is requested to represent the State in this matter.

His appointment be regularised by the office of the learned Legal Remembrancer.

The petitioners are directed to serve copy of the writ petition along with annexures thereto upon Mr. De in course of this day.

The petitioners claim to be the recorded owners of the plot in question and complain that the private respondents have raised unauthorised construction of shop rooms by encroaching upon a portion of the Government land adjoining their property, thereby obstructing their egress and ingress.

The petitioners submitted a representation before the concerned authority on 4th January, 2023 which is yet to

be considered. The petitioners pray for a direction upon the authority consider the representation at the earliest.

Learned counsel for the State respondents submits that the 4th respondent be directed to consider the representation in accordance with law.

In view of the above, the writ petition is disposed of directing the 4th respondent to consider and dispose of the representation submitted by the petitioners dated 4th January, 2023 within three months from the date of communication of this order upon affording reasonable opportunity of hearing to all the interested persons including the petitioners and the private respondents, in accordance with law.

With the aforesaid directions, WPA 2479 of 2023 is disposed of.

There shall however, be no order as to costs.

Since no affidavit in opposition 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 on usual undertakings.

(Suvra Ghosh, J.)