

WPA 4075 of 2023

Mita Tunga
Vs.
The State of West Bengal & Ors.

Mr. Raj Kumar Sain
Mr. Avijit Ray ...for the petitioner.

Mr. Soumitra Bandyopadhyay
Mr. Srikanta Paul ...for the State.

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

None appears for the private respondents despite service.

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 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 18th January, 2023, 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 5th 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 5th respondent to consider and dispose of the representation submitted on behalf of the petitioner dated 18th 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 petitioner and the private respondents, in accordance with law.

With the above observations and directions this writ petition being WPA 4075 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.)