

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

W.P.A. No. 4224 of 2023

Shyamal Narayan Basu & Anr.
Vs,
State of West Bengal & Ors.

Mr. Neil Basu,
Mr. Rahul Kumar Singh,
Mr. Sankha Biswas
...for the petitioners

Mr. Alope Kumar Ghosh,
Ms. Tanushree Dasgupta
...for the K.M.C.

1. None appears for the State at the time of call, although the petitioners and the Kolkata Municipal Corporation are represented through counsel.
2. At the outset, learned counsel for the petitioners limits his prayer to a direction on the Divisional Forest Officer to consider the representation dated February 02, 2023 given by the petitioners to the said authority.
3. Learned counsel for the KMC (Kolkata Municipal Corporation) submits that the problem of the petitioners might be resolved if the petitioners produce copies of the documents as sought by the KMC as per Annexure P-5 at page 56 of the writ petition.

4. Learned counsel for the petitioners, however, submits that in view of the limited prayer to which the petitioners now restrict their claim, the writ petition may be disposed of with such direction. In any event, it is submitted that the petitioners may be given the liberty to produce the documents as sought by the KMC in the meantime.
5. In view of the limited prayer made by the petitioners, W.P.A. No. 4224 of 2023 is disposed of by directing the respondent no. 6, the Divisional Forest Officer, Forest Utilization Division, to consider the representation of the petitioners dated February 02, 2023 as expeditiously as possible, preferably within three weeks from the date of communication of this order to the said respondent.
6. It is made clear that nothing in this order shall preclude the petitioners from furnishing the documents as required by the KMC, depicted at page 56 of the writ petition, to the KMC in the meantime.
7. If such documents are furnished to the KMC, the KMC, without being prejudiced by this order, shall be at liberty to process the same and come to a conclusion regarding the same.
8. There will be no order as to costs.

9. Urgent photostat certified copies of this order, if applied for, be made available to the parties upon compliance of all necessary formalities.

Sabyasachi Bhattacharyya, J.