

WPA 4285 of 2023

Pulin Behari Maity

Vs.

The State of West Bengal & Ors.

Mr. Dilip Kr. Sinha ...for the petitioner.

Mr. Chandi Charan De
Mr. Anirban Sarkar ...for the State.

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

None appears for the private respondent despite service.

Heard learned counsels for the parties.

The petitioner claims to be the recorded owner of the plot in question and complains that the private respondent has raised unauthorised construction by encroaching upon a portion of the PWD land adjoining his property, thereby obstructing his egress and ingress.

The petitioner submitted a representation in this regard before the concerned authority on 14th 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 4th 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 4th respondent to consider and dispose of the representation submitted on behalf of the petitioner dated 14th 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 respondent, in accordance with law.

With the above observations and directions the writ petition being WPA 4285 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.)