

03.01.2023
rc/ct.no.10
Item No.ML-53

WPA No. 5169 of 2022

Mr. Kamalesh Bhattacharjee
Mr. Anindya Bhattacharjee ...for the petitioner

Mr. Chandi Charan De ...for the State

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

None appears on behalf of the respondents despite service.

Mr. Chandi Charan De, learned advocate, who usually appears on behalf of the State-respondent and is present in Court today, is requested to represent the State-respondents in this matter. The office of the learned Legal Remembrancer is requested to regularise the service of Mr. De in this matter.

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

The petitioners claim to be adversely affected by illegal operation of a brick manufacturing business by the private respondent. The petitioners submitted a representation in this regard before the concerned authority on 18th June, 2021 which is yet to be considered. The petitioners pray 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 9th respondent be directed to consider the representation in accordance with law.

In view of the above, the writ petition is disposed of directing the 9th respondent to consider and dispose of the representation submitted by the petitioners on 18th June, 2021 within a period of three months from the date of communication of this order, after giving reasonable opportunity of hearing to all the affected parties including the petitioners and the private respondents, 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)