

19
jdt.

10.05.2023
jb.

W.P.A. 6095 of 2023

Bikash Chandra Parua
vs.
The State of West Bengal & Ors.

Mr. Bhaskar Chandra Manna
.... For the Petitioner

Mr. Asim Kr. Ganguly
Mr. Bellal Sk
.... For the State

Mr. Debasish Das
.... For the Respondent Nos. 8-9

On prayer of the petitioner the name of the 7th respondent being Panchayet Pradhan, Brindabanpur-II Kandapasra, P.S.-Chandipur, District Purba Medinipur be expunged from the cause title of the writ petition. The cause title be amended accordingly.

The petitioner claims to be the recorded owner of Plot No. 406 measuring .12 decimal at Mouza Kayalchak, J. L. No.41, Khatian No. 279, Police Station- Chandipur, District-Purba Medinipur and complains that the private respondents have raised illegal construction in Plot No. 377 belonging to the Irrigation Department, adjoining his plot and have also

encroached upon a portion of his raiyati land. The petitioner submitted a representation before the concerned authority in this regard on 8th June, 2022 which is yet to be considered. The petitioner prays for a direction upon the authority to consider the representation at the earliest.

It is submitted on behalf of the private respondents that the concerned authority be directed to deal with the representation in so far as plot No. 377 is concerned and not in regard to Plot No. 406 which is the raiyati land of the petitioner.

Learned counsel for the State respondents submits that the 5th respondent be directed to consider the representation, 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 by the petitioner dated 8th June, 2022 in so far as plot No. 377 is concerned within two months from the date of communication of this order upon affording reasonable opportunity of hearing to all the interested persons including the petitioner and the private respondents, in accordance with law.

The writ petition is thus disposed of.

There shall be no order as to costs.

Since no affidavit has been invited, allegations contained in the writ petition shall be deemed not to have been admitted.

Urgent certified website copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

(Suvra Ghosh, J.)