

04.01.2023
rc/ct.no.10
Item No.ML-78

WPA No. 5933 of 2022

Mr. Uday Narayan Betal
Mr. Partha Sarathi Mondal ...for the petitioners

Mr. Ram Chandra Guchhait ...for the State

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

The grievance of the petitioners is that the State-respondents have constructed a water tank in his property without acquiring the said land. The petitioners seek liberty to submit a comprehensive representation before the authority ventilating their grievance and pray for a direction upon the authority to consider the said representation within a stipulated time frame.

It is submitted on behalf of the State-respondents that the Principal Secretary, Department of PHE Department, Government of West Bengal, being the 2nd respondent herein, be directed to consider the said representation in accordance with law.

In view of the above, the writ petition is disposed of with liberty to the petitioners to submit a comprehensive representation before the Principal Secretary, Department of PHE Department, Government of West Bengal, being the 2nd respondent herein, ventilating their grievance within a fortnight from date. The 2nd respondent is directed to

consider and dispose of the representation within two months from the date of receipt thereof upon affording reasonable opportunity of hearing to all interested parties including the petitioners, in accordance with law.

The decision taken by the authority shall be communicated to the petitioners within a week thereof.

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)