

05.06.2023
rc/ct.no.10
Item No.35

WPA No. 7525 of 2021
Tapan Kumar Bera & Anr.
Versus
The State of West Bengal & Ors.

Mrs. Rita Patra	
Mrs. Pusmita Das	..for the petitioners
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 petitioner is 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 recorded owners of the plot in question and submit that the private respondents have raised unauthorised construction by encroaching upon a portion of the PWD land adjoining their plot, thereby obstructing their ingress and egress. The petitioners submitted a representation in this regard

before the concerned authority on 25th February, 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 4th respondent be directed to consider the representation 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 by the petitioners on 25th February, 2021 within a period of three months from the date of communication of this order, after giving reasonable opportunity of hearing to all the interested persons 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)