

WPA 7324 of 2023

Dipak Kumar De

Vs.

The State of West Bengal & Ors.

Mr. Raj Kumar Sain

Mr. Avijit Ray ...for the petitioner.

Mr. Soumitra Bandyopadhyay

Mr. P. Batabyal ...for the State.

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

None appears for the private respondents despite service.

Heard learned counsels for the parties.

The petitioner claims to be the recorded owner of the plot in question and submits that the private respondents have raised unauthorised construction by encroaching upon a portion of the PWD road adjoining his plot, thereby obstructing his egress and ingress.

The petitioner submitted a representation in this regard before the concerned authority on 25th 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 3rd 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 3rd respondent to consider and dispose of the representation submitted on behalf of the petitioner dated 25th 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 respondents, in accordance with law.

With the above observations and directions this writ petition being WPA 7324 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.)