

15.05.2023
rc/ct.no.10
Item No.12

WPA No. 8401 of 2023
Sri Sambhu Nath Chatterjee
Versus
The State of West Bengal & Ors.

Mr. Debasish Das ...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 State-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 petitioner claims to be recorded owner of the plot in question and submits that the private respondents have encroached upon a portion of the PWD land adjoining his plot by raising an unauthorised construction, thereby obstructing his ingress and egress. The petitioner submitted a representation in this regard before the

concerned authority on March 17, 2023 and prays for a direction upon the authority to consider the representation at the earliest.

It is submitted on behalf of the State-respondents 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 on March 17, 2023 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 petitioner 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)