

15.05.2023
rc/ct.no.10
Item No.14

WPA No. 8588 of 2023
Gopinath Mondal & Anr.
Versus
The State of West Bengal & Ors.

Mr. A.K.Niyogi
Mr. Debdip Mondal ...for the petitioner

Mr. Abirlal Chakraborty
Mr. Anindya Sundar Das
...for the respondent nos.9,12,13,14,15&16

Mr. Partha Pratim Roy
Mr. Ram Chandra Guchait ...for the State

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

Heard learned counsels appearing on behalf of the parties.

The petitioners claim to be recorded owners of the plot in question and submits that the private respondents have encroached upon a portion of the PWD land adjoining their plot by raising an unauthorised construction, thereby obstructing their ingress and egress. The petitioners submitted a representation in this regard before the concerned authority on February 08, 2023 and prays for a direction upon the authority to consider the representation at the earliest.

It is submitted on behalf of the respondent nos. 9,12,13,14,15&16 that no encroachment has been made on any portion of the PWD road. However, private

respondents have no objection if the representation of the petitioners is considered by the concerned authority upon affording them an opportunity of hearing.

It is submitted on behalf of the State-respondents that the 3rd respondent be directed to consider the representation in accordance with law.

In view of the above, the writ petition is disposed of directing the 3th respondent to consider and dispose of the representation submitted by the petitioners on February 08, 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 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)