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jdt.

10.05.2023
jb.

W.P.A. 9248 of 2023

Indrajit Ghosh & Ors.

vs.

The State of West Bengal & Ors.

Mr. Soumik Ganguly

Mr. G. N. Imrohi

Mr. S. Nandy

.... For the Petitioners

Mr. Soumitra Bandyopadhyay

Mr. Subhasis Bandyopadhyay

.... For the State

Affidavit of service filed on behalf of the petitioners is taken on record.

None appears for the private respondents despite service.

In an earlier writ petition being WPA 19906 of 2022, the petitioner complained unauthorised construction made by the private respondents upon a portion of PWD road. Pursuant to an order passed by this Court on 4th November, 2022 directing the concerned respondent to consider and dispose of the representation submitted by the petitioners within three months from the date of communication of this order upon affording reasonable opportunity of hearing to all

the interested persons including the petitioners and the private respondents, the matter was taken up for consideration by the Assistant Engineer, Plassey Highway Sub Division, P.W. (Roads) Directorate and by an order passed on 14th December, 2022, the Assistant Engineer recorded that there are five stalls situated on the disputed plot which is recorded in favour of the Collector, Nadia and classified as Nayanjali. The order was communicated to the Sub-Divisional Officer, Tehatta for necessary action. It is submitted on behalf of the petitioners that no further step has been taken by the concerned authority for complying with/implementing the said order.

It is submitted on behalf of the State respondents that the third respondent be directed to implement the order passed on 14th December, 2022, in accordance with law.

In view of the above, the writ petition is disposed of directing the third respondent to comply with/implement the order passed on 14th December, 2022 by the Assistant Engineer, Plassey Highway Sub Division P.W. (Roads) Directorate within two months from the date of communication of this order, in accordance with law.

The writ petition is thus disposed of.

There shall be no order as to costs.

Since no affidavit has been invited, allegations contained in the writ petition shall be deemed not to have been admitted.

Urgent certified website copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

(Suvra Ghosh, J.)