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jdt.

17.07.2023
jb.

W.P.A. 9738 of 2023
(Jitendranath Bera & Ors. vs. State of West Bengal & Ors.)

Mr. Debasis Sur
Mr. Himadri Sekhar Paul
Mr. Angshuman Patra
Mr. Arijit Maity
.... For the Petitioners

Mr. Chandi Charan De
Mr. Anirban Sarkar
.... For the State

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

None appears for the 5th respondent despite service.

Supplementary affidavit submitted on behalf of the petitioners is taken on record.

The petitioners complain that the Contai Municipality being the 5th respondent herein is constructing Sulabh Complex on a portion of the PWD road adjoining their property, thereby obstructing their egress and ingress completely. The petitioners submitted a representation in this regard before the concerned authority on 17th February, 2023 which is yet to be considered. The petitioners pray for a direction upon the authority to consider the representation at the earliest.

It is submitted on behalf of the State respondents that the third respondent be directed to consider the representation 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 by the petitioners dated 17th February, 2023 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 5th respondent, 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.)