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jdt.

07.06.2023
jb.

W.P.A. 9856 of 2023
(Sk. Jiyad Ali vs. State of West Bengal & Ors.)

Golam Mostafa
Mr. Tarasankar Samanta
.... For the Petitioner
Mr. Soumitra Bandyopadhyay
Mr. Subhasis Bandyopadhyay
.... For the State

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

None appears for the private respondents despite
service.

The petitioner claims to be recorded owner of the
plot in question and submits that the private
respondents have raised unauthorised construction by
encroaching upon a land of the Irrigation Department
adjoining his property thereby obstructing his egress
and ingress. The petitioner seeks to submit a
comprehensive representation in this regard before the
concerned authority and prays for a direction upon the
said authority to consider the said representation at the
earliest.

It is submitted on behalf of the State respondents that the 6th respondent be directed to consider the representation, in accordance with law.

In view of the above, the writ petition is disposed of with liberty to the petitioner to submit a comprehensive representation before the 6th respondent within 7 days from date and the 6th respondent is directed to consider and dispose of the representation within three months from the date of communication of this order upon affording reasonable opportunity of hearing to all the interested persons including the petitioner and the private respondents, 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.)