

June 09, 2023
(19) ARDR

WPA 10561 of 2023

Abani Haldar
Vs.
The State of West Bengal & ors.

Adv. Shamit Sanyal,
Adv. Sabyasachi Roy,

...for the petitioner.

Adv. Lalit Mohan Mahata,
Adv. Prasanta Behari Manata,

...for the State.

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

On prayer of the petitioner, liberty is granted to implead the Assistant Engineer, P.W. (Roads) Department, South 24 Parganas as respondent no.9 in the writ petition.

The cause title of the writ petition be amended accordingly.

The petitioner complains unauthorised construction made by certain encroachers on the *Nayanjuli* as well as P.W.D road adjoining his property, thereby obstructing his egress and ingress completely. The petitioner seeks to submit a comprehensive representation in this regard before the concerned authority requesting removal of such encroachment 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 9th 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 9th respondent within seven days from date. The 9th respondent is directed to consider and dispose of the representation within three months on receipt thereof upon affording reasonable opportunity of hearing to all the affected persons including the petitioner, in accordance with law.

With the aforesaid directions, WPA 10561 of 2023 is disposed of.

There shall however, be no order as to costs.

Since no affidavit in opposition 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 on usual undertakings.

(Suvra Ghosh, J.)