

20
21.06.2023
Ct. No.10
b.das

WPA 10973 of 2023

Amaresh Das & Anr.

Vs.

The State of West Bengal & Ors.

Mr. Balaram Pandit
Mr. Anjan Dutta ...for the petitioners.

Mr. Santanu Kr. Mitra
Ms. Rama Halдар ...for the State.

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

None appears for the private respondents despite service.

Heard learned counsels for the parties.

The petitioners claim to be the recorded owners of the plot in question and submit that the private respondents have raised illegal construction by encroaching upon a portion of the PWD road adjoining their property, thereby obstructing their egress and ingress.

The petitioners submitted a representation in this regard before the concerned authority on 22nd April, 2023, which is yet to be considered. The petitioners pray for a direction upon the concerned authority to consider the representation at the earliest.

It is submitted on behalf of the State respondents that the 4th respondent be directed to consider the representation, in accordance with law.

In view of the above, the writ petition is disposed of directing the 4th respondent to consider and dispose of the represented submitted by the petitioners dated 22nd April, 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 private respondents, in accordance with law.

With the above observations and directions this writ petition being WPA 10973 of 2023 is disposed of.

However, there shall be 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 supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)