

19.06.2023
Item No.5
PG/KS
Ct. No.1

W.P.A.(P) 227 of 2023
Shri. Subhendu Kamila
VS

The State of West Bengal & Ors.

Mr. Soumya Kanti Sinha
Ms. Suparna Das.....for the petitioner

Mr. Shamim ul Bari.....for the State

Mr. Prasenjit Debnath....for the respondent
No. 11

Mr. Dhiman Roy
Mr. Dip Chanda.....for the respondent
No.8

1. By this public interest litigation, the petitioner seeks for a writ of mandamus to withdraw the permission and stop operation of the weigh-bridges, which are being operated by the 11th respondent.
2. Several allegations have been made in the writ petition and the grievance appears to be that trucks, which are overloaded are passing through panchayat roads and causing lot of damage to the panchayat roads as well as the trees and other things located in the panchayat area. In this regard a representation has been given on 31st March, 2023 to all the respondents, which has not been considered by the respondents.

3. In the light of the above, without going into the merits of the allegations made in the representation as well as the affidavit filed in support of the writ petition, we direct the 3rd respondent, the District Magistrate, Jhargram to consider the representation after notice to the authorised representative of the petitioner and the 10th respondent.
4. The representation be considered on merits and in accordance with law and a speaking order be passed within a period of three weeks from the date of receipt of server copy of this order.
5. The petitioner is directed to enclose a copy of the representation along with a copy of this order and submit the same in the office of the District Magistrate, Jhargram for compliance of the above directions.
6. In the light of the above, the writ petition stands disposed of.
7. No costs.
8. Urgent photostat certified copy of this order, if applied for, be furnished to the parties expeditiously upon compliance of all legal formalities.

(T. S. SIVAGNANAM)
CHIEF JUSTICE

(AJAY KUMAR GUPTA, J.)