

06.06.2023
rc/ct.no.10
Item No.23

WPA No. 11796 of 2023
Subrata Chatterjee
Versus
The State of West Bengal & Ors.

Mr. Lal Ratan Mondal
Mr. Dilip Kumar Sadhu ..for the petitioner

Mr. Soumitra Bandyopadhyay
Mr. Subhasis Bandyopadhyayfor the State

Affidavit of service filed in Court today is taken on record.

None appears on behalf of the private respondents despite service.

On the prayer of the petitioner liberty is granted to implead the Assistant Engineer, Midnapur Highway Division, Public Works Department (Roads), Government of West Bengal as respondent no. 13 in the writ petition. The cause title of the writ petition be amended accordingly.

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 portion of the PWD road adjoining his plot, thereby obstructing his ingress and egress. The petitioner submitted a representation in this regard before the concerned authority on 11th April, 2023 which is yet to be considered.

The petitioner prays 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 13th respondent be directed to consider the representation in accordance with law.

In view of the above, the writ petition is disposed of directing the 13th respondent to consider and dispose of the representation submitted by the petitioner on 11th April, 2023 within a period of three months from the date of communication of this order, after giving reasonable opportunity of hearing to all the interested persons including the petitioner and the private respondents, in accordance with law.

With the above observations and directions this writ petition is disposed of.

There shall be, however, 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 furnished to the parties upon compliance of necessary formalities.

(Suvra Ghosh,J)