

September 4, 2023
ARDR (34)

WPA 12344 of 2021

Arun Kanti Biswas
Vs.
The State of West Bengal & ors.

Adv. Mukul Biswas,
Adv. Pradip Paul,

...for the petitioner.

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

None appears for the State despite service.

Mr. Soumitra Bandyopadhyay, who usually appears for the State and is present in Court today, is requested to represent the State in this matter along with his junior Mr. Srinath Singha Ray.

Their appointment be regularised by the office of the learned Legal Remembrancer.

The petitioner is directed to serve copy of the writ petition along with annexures thereto upon Mr. Singha Ray in course of this day.

The petitioner claims to be the recorded owner of the plot in question and alleges that the State respondents are encroaching upon a portion of his plot for extension of Chakdah – Bangaon road without acquiring the same by due process of law. The petitioner submitted a representation before the concerned authority in this regard on 24th July, 2021 which is yet to be considered. The petitioner 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 3rd respondent be directed to consider the representation in accordance with law.

In view of the above, the writ petition is disposed directing the 3rd respondent to consider and dispose of the representation submitted by the petitioner dated 24th July, 2021 within one month from date of communication of this order upon affording reasonable opportunity of hearing to all the interested persons including the petitioner, in accordance with law.

The decision taken by the authority shall be communicated to the petitioners within a week thereof.

With the aforesaid directions the writ petition, being WPA 12344 of 2021 is disposed of.

There shall however, 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 furnished to the parties on usual undertakings.

(Suvra Ghosh, J.)