

WPA 12848 of 2023

Md. Azizul Hoque
Vs.
The State of West Bengal & ors.

Adv. Debasis Sur,
Adv. Hare Krishna Halder,
...for the petitioner.
Adv. Santanu Kumar Mitra,
Adv. Ganga Prasad Mukherjee,
...for the State.

Supplementary affidavit submitted on behalf of the petitioner is taken on record.

Heard learned counsels for the parties.

The order passed by the Sub-Divisional Officer, Katwa, Purba Burdwan on 17th May, 2023 under Section 10(3) of the West Bengal Highways Act, 1964 is assailed in the writ petition.

The said order is amenable to appeal under Section 10(4) of the Act.

The order passed on 29th May, 2023 records that the petitioner has preferred an appeal against the order impugned.

Under such circumstance, this Court is inclined to hold that the concerned authority, being the 5th respondent herein, be directed to consider and dispose of the appeal within a stipulated time frame.

The writ petition, being WPA 12848 of 2023, is accordingly disposed of directing the 5th respondent to consider and dispose of the appeal, if any, preferred by the

petitioner against the order impugned dated 17th May, 2023 within one month from the date of communication of this order, in accordance with law.

Since no affidavit in opposition is invited, the allegations contained in the petition are deemed not to be admitted.

There shall however, be no order as to costs.

Urgent certified website copy of this order, if applied for, be furnished to the parties on usual undertakings.

(Suvra Ghosh, J.)