

September 6, 2023
ARDR (237)

WPA 13584 of 2023

Amiya Sarkar
Vs.
The State of West Bengal & ors.

Adv. Atis Kumar Biswas,
Adv. Jyoti Agarwal,
...for the petitioner.
Adv. Md. G. N. Imrohi,
...for the private respondent.
Adv. Chandi Charan De,
Adv. Anirban Sarkar,
...for the State.

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

The petitioner claims to be the recorded owner of the plot in question and complains that the private respondent has raised unauthorised construction by encroaching upon a portion of PWD land adjoining his land, thereby obstructing his egress and ingress. 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 authority to consider the representation at the earliest.

It is submitted on behalf of the State respondents that the 5th respondent be directed to consider the representation in accordance with law.

In view of the above, the writ petition is disposed of directing the 5th respondent to consider and dispose of the representation submitted by the petitioner dated 11th 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 petitioner and the private respondent, in accordance with law.

With the aforesaid directions the writ petition, being WPA 13584 of 2023 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.)