

12.09.2023
rc/ct.no.10
Item No.278

WPA No. 13875 of 2023
Himanshu Maity & Ors.
Versus
The State of West Bengal & Ors.

Mr. Balaram Pandit
Mr. Krishna Deo Das ...for the petitioners

Mr. Soumitra Bandyopadhyay
Mr. Suchana Banerjee ...for the State

Mr. Saptarshi Banerjee
...for the respondent nos. 7-12

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

The petitioners claim to be the recorded owners of the plot in question and submit that the private respondents have raised unauthorised construction by encroaching upon a portion of the PWD land adjoining their plot, thereby obstructing their ingress and egress. The petitioners have submitted a representation before the concerned authority in this regard which was received by latter on July 20, 2022 which is yet to be considered. The petitioners pray 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 4th respondent be directed to consider the representation in accordance with law.

In view of the above, the writ petition is disposed of directing the 4th respondent to consider and dispose of the

representation submitted by the petitioners on July 20, 2022 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 petitioners 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)