

December 7, 2023
ARDR (483)

WPA 14157 of 2023

Mojidur Rahaman & anr.
Vs.
The State of West Bengal & ors.

Adv. Shamit Sanyal,
Adv. Priyakhi Banerjee,
...for the petitioners.
Adv. Ayan Banerjee,
Adv. Tapash Kumar Mondal,
...for the State.

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

The petitioners allege that the respondents have encroached a portion of the petitioners' land and utilised the same without acquiring the same by due process of law. The petitioners seek to submit a comprehensive representation ventilating their grievance before the concerned authority and pray for a direction upon the authority to consider the representation at the earliest.

It is submitted on behalf of the 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 with liberty to the petitioners to submit a comprehensive representation before the 4th respondent within two weeks from date. The 4th respondent is directed to consider and dispose of the representation within six weeks from the date of receipt thereof upon affording reasonable opportunity of hearing to all concerned including the petitioners, in accordance with law.

The petitioners shall be at liberty to produce the relevant documents before the authority at the time of hearing.

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

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

However, there shall 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 supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)