

July 07, 2023
(13) ARDR

WPA 14422 of 2023

Susanta Kumar Bag
Vs.
The State of West Bengal & ors.

Adv. Raj Kumar Sain,
...for the petitioner.
Adv. Soumitra Bandyopadhyay,
Adv. Suchana Banerjee,
...for the State.

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

Service upon the private respondents has returned with an endorsement 'refused' which amounts to due service.

None appears for the private respondents.

It is contended on behalf of the petitioner that the private respondents have raised unauthorised construction by encroaching upon a portion of the Government land adjoining his property, thereby obstructing his egress and ingress. The petitioner submitted a representation in this regard before the concerned authority on 7th June, 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 3rd respondent be directed to consider the representation in accordance with law.

In view of the above, the writ petition is disposed of directing the 3rd respondent to consider and dispose of the representation submitted by the petitioner dated 7th June, 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 respondents, in accordance with law.

With the aforesaid directions, WPA 14422 of 2023 is disposed of.

There shall however, be no order as to costs.

Since no affidavit in opposition 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.)