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jdt.

08.09.2023
jb.

W.P.A. 14507 of 2023
(Rabiul Islam vs. State of West Bengal & Ors.)

Mr. Atis Kr. Biswas
Mr. Amit Singh
Mrs. Jyoti Agarwal
.... For the Petitioner

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

None appears for the State respondents despite service.

Mr. Chandi Charan De who is present in Court and usually appears for the State is requested to represent the State in this matter along with a junior of his choice. The appointment of Mr. De, learned advocate and Mr. Anirban Sarkar, learned advocate be regularised by the office of the learned Legal Remembrancer. Copy of the writ petition along with annexure thereto be served upon Mr. De in course of the day.

The petitioner claims to be recorded owner of the plot in question and complains that the private respondents have raised unauthorised construction by encroaching upon a portion of the PWD land adjoining his plot, thereby obstructing his egress and ingress. The petitioner submitted a representation in this regard before the concerned authority on 15th May, 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 4th respondent be directed to consider and dispose of 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 petitioner dated 15th May, 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.

There shall be no order as to costs.

Since no affidavit has been invited, allegations contained in the writ petition shall be deemed not to have been admitted.

Urgent certified website copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

(Suvra Ghosh, J.)