

27.09.2023
rc/ct.no.10
Item No.323

WPA No. 14779 of 2022
Dr. Samir Kumar Dey Sarkar
Versus
The State of West Bengal & Ors.

Mr. Supratim Laha ...for the petitioner

Mr. Chandi Charan De ...for the State

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

None appears on behalf of the State respondents despite service.

Mr. Chandi Charan De, learned advocate, who usually appears on behalf of the State respondents and is present in Court today, is requested to represent the State respondents in this matter. The office of the learned Legal Remembrancer is requested to regularise the service of Mr. De in this matter.

The petitioner is directed to serve a copy of this application along with annexures thereto upon Mr. De in course of this day.

The petitioner is a lessee in respect of the plot in question wherein he has constructed three storied building in terms of the deed of lease executed in his favour. The petitioner intends to transfer the first floor of the building in favour of the private respondent for which he, through his learned advocate, wrote to the Land Manager, Bidhannagar, being the 3rd respondent herein on February 11, 2022 seeking permission for such transfer. The

representation 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 respondents that the 3rd respondent be directed to consider the representation in accordance with law.

In view of the above, this writ petition is disposed of directing the 3rd respondent to consider and dispose of the representation filed by the petitioner, through his learned advocate, on February 11, 2022 within a period of two months from the date of communication of this order, after giving reasonable opportunity of hearing to all the interested persons including the petitioner/his authorised representative, in accordance with law.

The decision taken by the authority shall be communicated to the petitioner/his authorised representative within a week thereof.

With the above observation and direction this writ petition 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 upon compliance of necessary formalities.

(Suvra Ghosh,J)

