

12.09.2023
rc/ct.no.10
Item No.281

WPA No. 14682 of 2023
Sk. Abdur Rouf
Versus
The State of West Bengal & Ors.

Mr. Bhagabat Chowdhury
Sk. Toslim Ali
Mrs. Saba Sarween ...for the petitioner

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

On the prayer of the petitioner liberty is granted to the petitioner to implead the Sub-Divisional Officer, Uluberia as respondent no. 13 in the writ petition.

The cause of the writ petition be amended accordingly.

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

None appears on behalf of the private respondents despite service.

Heard learned counsels for the parties.

Pursuant to an order passed by this Court in an earlier writ petition being WPA No. 14193 of 2022 on August 17, 2022 directing the concerned authority, being the Assistant Engineer, to consider the representation submitted by the petitioner, the Assistant Engineer, Amta Highway Sub-Division PW (Roads) Directorate, by a resolution taken on September 28, 2022 held that the concerned road is not under the control and jurisdiction of the Assistant Engineer and is maintained by the local

body. The petitioner thereafter submitted a representation before the concerned authority on March 14, 2023 requesting removal of illegal encroachment and unauthorised construction upon the government land by the private respondents, which is yet to be considered. The petitioner prays 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 13th respondent be directed to consider the representation in accordance with law.

In view of the above, the writ petition is disposed of directing the 13th respondent to consider and dispose of the representation submitted by the petitioner on March 14, 2023 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 petitioner 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)

