

05.07.2023

Item No.3

Ct. No.1

PG/KS

W.P.A.(P) 321 of 2023

Murtuza Ali

Versus

The State of West Bengal & Ors.

Mr. Wasim Reza

.....for the Petitioner

Ms. Rajarshi Basu

Mr. Parikshit Goswami

.....for the State

Ms. Sulagna Mukherjee

Ms. Surabhi Banerjee

Ms. Shristi Sharma

.....for the Respondent No.10

1. The petitioner filed a writ petition by way of a public interest litigation seeking for consideration of his representation submitted to the authorities alleging that the private respondents herein namely, the respondent nos.10 and 11 are constructing concrete pillars on the water body/ 'Danga" land.
2. The learned advocate appearing for the official respondents submitted that the representation dated 9th June, 2023 has been received by the authorities and without giving a reasonable time for the authorities to look into the matter, the petitioner has filed this writ petition. Since the

representation has already been received by the official respondents, we are of the view that the representation should be considered and disposed of in accordance with law after hearing the respondent nos.10 and 11.

3. Accordingly, without going into the merits of the allegation made by the petitioner in this writ petition as well as in the representation, since the affidavits have not been called for, we dispose of this writ petition by directing the 7th respondent to consider the representation after notice to the petitioner and the respondent nos.10 and 11, conduct an inspection of the land in question and thereafter pass a speaking order on merits and in accordance with law.
4. This direction be complied with by the respondent no.7 within a period of four weeks from the date of receipt of server copy of this order.
5. No costs.
6. Urgent photostat certified copy of this order, if applied for, be furnished to the parties expeditiously upon compliance of all legal formalities.

(T. S. SIVAGNANAM)
CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)