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jdt.

25.04.2023
jb.

W.P.A. 15971 of 2019
(Sudip Das vs. State of West Bengal & Ors.)

Mr. Moloy Roy
Ms. Puja Agarwal
.... For the Petitioner

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

None appears for the respondents despite service.

The petitioner alleges illegal construction on Government property adjoining his property thereby obstructing him from utilising his property.

In an order passed on 22nd August, 2019 this Court directed the third respondent to hold an enquiry as to whether there was any encroachment on Government property as complained by the petitioner. The said respondent was granted liberty to take the assistance of the 4th respondent in identifying the Government property and encroachment, if any, The Court further held that in the event encroachment on Government property was found, appropriate steps would be taken for the purpose of removal of the same upon informing the appropriate authority, in accordance with law.

Since the respondents have not found it necessary to contest the writ petition or put forward their contention herein, the writ petition is disposed of in the light of the observation made by this Court in the order passed on 22nd August, 2019.

Accordingly, the third respondent is directed to hold an enquiry as to whether there is encroachment on Government property adjoining the petitioner's property, as complained of by the petitioner. The third respondent is at liberty to take the assistance of the 4th respondent who shall assist the third respondent in identifying the Government property and encroachment thereon, if any. In the event such encroachment is found, the third respondent shall take appropriate steps for removal of the same, in accordance with law.

The entire exercise should be completed within three months from the date of communication of this order.

Since the respondents are not represented, the petitioner is directed to communicate this order to the respondents at the earliest.

With the above observations and directions, the writ petition is disposed of.

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.)