

27.09.2023
rc/ct.no.10
Item No.15

WPA No. 17051 of 2023
Sanjay Kumar Dolai
Versus
The State of West Bengal & Ors.

Mr. Gourab Ghosh ...for the petitioner

Mr. Supratim Dhar
Mrs. Indrani Nandi ...for the State

Mr. Uday Bhattacharyya
Mr. Ashim Kumar Ghosh ...for the Respondent No. 6

On the prayer of the petitioners liberty is granted to implead the Sub-Divisional Officer, Kharagpur, Paschim Medinipur as respondent no. 7 in the writ petition.

The cause of this writ petition be amended accordingly.

Heard learned counsels for the parties.

The petitioner claims to be recorded owner of the plot in question and complains that the private respondent has raised unauthorised construction by encroaching upon a portion of the Government land adjoining his property, thereby obstructing his ingress and egress. The petitioner has submitted a representation before the concerned authority on April 06, 2023 which is yet to be considered. The petitioner prays for a direction upon the concerned authority to consider the representation at the earliest.

Learned counsel for the private respondents submits that the private respondent has not encroached upon any portion of the Government land.

Learned counsel for the State respondents submits that the 7th respondent be directed to deal with the representation in accordance with law.

In view of the above, the writ petition is disposed of directing the 7th respondent to consider and dispose of the representation submitted by the petitioner on April 06, 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 respondent, in accordance with law.

Since the 7th respondent is not represented, the petitioner is directed to serve a copy of this order along with a copy of representation upon the 7th respondent at the earliest.

With the above observation and direction 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)