

293
18.09.2023
Ct. No.10
b.das

WPA 17753 of 2023

Tusirani Das Pradhan

Vs.

The State of West Bengal & Ors.

Mr. Bibekananda Tripathy ...for the petitioner.

Mr. Ayan Banerjee
Mr. Nilay Baran Mondal ...for the State.

Sk. Rejaul Alam ...for the respondent nos.8 to 10.

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

Heard learned counsels for the parties.

The petitioner claims to be the recorded owner of the plot in question and complains that the private respondents have raised unauthorised construction by encroaching upon a portion of the PWD land adjoining her property, thereby obstructing her egress and ingress.

The petitioner submitted a representation in this regard before the concerned authority on 22nd June, 2023, 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 private respondents that the construction raised by the private respondents does not obstruct the egress and ingress of the petitioner.

It is submitted on behalf of the State respondents that the 4th respondent be directed to consider the representation, in accordance with law.

In view of the above, the writ petition is disposed of directing the 4th respondent to consider and dispose of the representation submitted by the petitioner dated 22nd June, 2023 within three months from the date of communication of this order upon affording reasonable opportunity of hearing to all the interested persons including the petitioner and the private respondents, in accordance with law.

However, there shall 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 supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)