

13.02.2022
rc/ct.no.10
Item No.19

WPA No. 17228 of 2019

Mr. Partha Pratim Roy
Mr. Anirban Das ...for the petitioner

Mr. Chandi Charan De
Mr. Haripada Maityfor the State

Heard learned counsels appearing on behalf of the parties.

The petitioner claims to be the recorded owner of the plot in question and complains that the State-respondents took over possession of a portion of the said plot for the purpose of constructing embankment without acquiring the same by due process of law. The petitioner seeks liberty to submit a comprehensive representation before the concerned authority in this regard and prays for a direction upon the authority to consider the said representation in accordance with law.

In view of the above, the writ petition is disposed of with liberty to the petitioner to submit a comprehensive representation before the 4th respondent within four weeks from date. The 4th respondent is directed to consider and dispose of the representation within three months from the date of receipt thereof with the assistance of the 7th respondent after affording reasonable opportunity of hearing to all interested persons including the petitioner, in accordance with law.

The decision taken by the authority shall be communicated to the petitioner within a week thereof.

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)