

04.05.2023
Court No. 19
Item 123
CP

WPA No. 19389 of 2022

Monirul Islam
Vs.
The State of West Bengal & Ors.

Mr. Abhimanyu Bannerjee
... for the petitioner.

Md. Salahuddin
Md. A. Zaman
...for the respondent no.7.

The petitioner alleges that the respondent no. 7 had made construction on a PWD land and the said construction has obstructed the ingress and egress of the petitioner.

It is an admitted position that the respondent no. 7 has constructed on PWD land which is classified as 'Rasta' in the land records.

Learned advocate for the respondent no. 7 submits that the said respondent had been in occupation of the said land since long and the PWD authorities have never raised any objection.

The petitioner is granted liberty to approach the PWD authority for necessary action under the relevant laws, by filing a representation along with supporting documents.

If such representation is filed, the same shall be disposed of in accordance with law, upon causing

an inspection and upon granting an opportunity of hearing to all concerned including the respondent no. 7.

A reasoned order shall be passed and communicated to the parties. Necessary steps shall be taken on the basis of the findings and as per the applicable laws

The court has not gone into the merits of the claims.

The entire exercise shall be completed within a period of three months from the date of receipt of the petitioner's application.

The right of the respondent no. 7 to protect his possession by initiating appropriate proceedings, is left open.

Accordingly, the writ petition is disposed of.

However, there will be no order as to costs.

All the parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)