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jdt.

05.06.2023
jb.

W.P.A. 19563 of 2018

(Mukhles Khan & Anr. vs. State of West Bengal & Ors.)

Mr. Salil Kr. Maiti

.... For the Petitioners

Mr. Satyajit Mondal

Mr. Amar Nath Sen

Mr. Pranab Kr. Ghosh

Mr. Amit Bikram Mahata

.... For the Respondent Nos. 8 and 9

None appears for the State respondents despite service.

Mr. Chandi Charan De who is present in Court and usually appears for the State is requested to represent the State in this matter. The appointment of Mr. De, learned advocate be regularised by the office of the learned Legal Remembrancer. Copy of the writ petition be served upon Mr. De in course of the day.

The petitioners claim to be recorded owners of the plot in question and submit that the private respondents have illegally encroached upon the Government land adjoining the plot of the petitioners, thereby obstructing their egress and ingress. The petitioners submitted a representation in this regard before the concerned authority on 13th August, 2018

which is yet to be considered. The petitioners pray for a direction upon the authority to consider the representation at the earliest.

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

In view of the above, the writ petition is disposed of directing the third respondent to consider and dispose of the representation submitted by the petitioners dated 13th August, 2018 within three months from the date of communication of this order upon affording reasonable opportunity of hearing to all the interested persons including the petitioners and the private respondents, in accordance with law.

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.)