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jdt.

12.04.2023
jb.

W.P.A. 21050 of 2022
(Sri Sudhangshu Shi & Anr. vs. State of West Bengal & Ors.)

Mr. Bharat Ch. Simai
.... For the Petitioners

Mr. Subhabrata Das
.... For the State

Mr. Amit Baran Dash
Ms. Ankana Sarkar
.... For the Respondent Nos.10-15

Affidavit of service filed on behalf of the petitioners is taken on record.

On prayer of the petitioners liberty is granted to correct the designation of the 4th respondent in the cause-title of the writ petition.

The petitioners claim to be recorded owners of the plot in question and complain that the private respondents have encroached upon a portion of the PWD road adjoining their property, thereby obstructing their egress and ingress. The petitioners submitted a representation before the concerned authority in this regard under Section 10 of the West Bengal Highways Act, 1964 on 16th August, 2022 which is yet to be considered. The petitioners pray for a direction upon the authority to consider the representation at the earliest.

Upon consideration of the submission made on behalf of the parties, the writ petition is disposed of directing the 4th respondent to consider and dispose of the representation dated 16th August, 2022 submitted by the petitioners 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.

The writ petition is thus disposed of.

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.)