

30.01.2023
rc/ct.no.10
Item No.61

WPA No. 21521 of 2022

Mr. Gautam Guria ...for the petitioners

Mr. Soumitra Bandyopadhyay
Mr. P.B.Mahata ...for the State

Sk. Rejaul Alam
..for the respondents no.7,8,10,11,12,13,14 & 16

Heard learned counsels appearing on behalf of the parties.

The petitioners claim to be recorded owners of L.R.Plot No. 1272 and a part of the adjoining L.R.Plot No. 1271 in Mouza – Nandigram, J.L.No. 180, Police Station- Nandigram, District- Purba Medinipur and complain that the private respondents have raised unauthorised construction by encroaching upon a portion of the PWD land adjoining their land, thereby obstructing their ingress and egress. The petitioners have submitted a representation in this regard before the concerned authority on 30th March, 2022 which is yet to be considered.

The petitioners pray 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 petitioners no. 4 and 6 have raised unauthorised construction by encroaching upon PWD land and in the

event such unauthorised construction is detected, the same may also be removed.

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 petitioners on 30th March, 2022 within a period of three months from the date of communication of this order, after giving reasonable opportunity of hearing to all the interested persons including the petitioners and the private respondents, in accordance with law.

In the event it is found that any of the parties including the petitioners or any of them have encroached upon the PWD land as alleged, steps be taken to remove such unauthorised encroachment from the land in question.

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)

