

WPA 21702 of 2022

Sefali Marick & Ors.

Vs.

The State of West Bengal & Ors.

Sk. Toslim Ali ...for the petitioners.

Mr. Asish Dutta ...for the State.

Ms. Saba Parween ...for the private respondents.

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

Heard learned counsels for the parties.

The petitioners contend that the petitioners and the private respondents are co-sharers in respect of the plot in question and the private respondents are digging earth from the said plot without permission of the concerned authority and are selling it out for their personal benefit.

The private respondents deny and dispute the allegations made by the petitioners.

The petitioners submitted a representation before the concerned authority on 29th August, 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 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 dated 29th August, 2022 within two 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 decision taken by the authority shall be communicated to the petitioners within a week thereafter.

With the above observations and directions this writ petition being WPA 21702 of 2022 is disposed of.

However, there shall be 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 supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)