

WPA 21926 of 2022

Prasanta Das
Vs.
The State of West Bengal & ors.

Adv. Gautam Guria

...for the petitioner.

Adv. Susovan Sengupta,
Adv. Subir Paul,

...for the State.

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

None appears for the private respondents despite service.

The petitioner claims to be the recorded owner of the plot in question and submits that the private respondents have raised unauthorised construction by encroaching upon a portion of the PWD road adjoining his property, thereby obstructing his ingress and egress. The petitioner submitted a representation in this regard before the concerned authority on 1st April, 2022 which is yet to be considered. The petitioner prays for a direction upon the 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 petitioner dated 1st April,

2022 within three months from the date of communication of this order upon affording reasonable opportunity of hearing to all the interested persons including the petitioner and the private respondents, in accordance with law.

With the aforesaid directions, WPA 21926 of 2022 is disposed of.

There shall however, be no order as to costs.

Since no affidavit in opposition 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 on usual undertakings.

(Suvra Ghosh, J.)