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jdt.

12.04.2023
jb.

W.P.A. 22443 of 2022
(Md. Alam Mia @ Mahmood Alam vs. State of West Bengal & Ors.)

Mr. Soumava Mukherjee
.... For the Petitioner
Mr. Chandi Charan De
Mr. Anirban Sarkar
.... For the State

The petitioner produced the copy of the order passed in title suit No. 370/2022 which demonstrates that the title suit filed by the petitioner has been dismissed for non-prosecution by an order passed on 22nd February, 2023 by the Civil Judge, (Junior Division), 1st Court, Asansol, Paschim Bardhaman.

The petitioner claims to be the recorded owner of the plot in question and submits that the State respondents have entered into the said plot, demolished the construction therein and are raising construction on the plot. The petitioners submitted a complaint before the concerned authority being the District Magistrate, Paschim Bardhaman, Asansol in this regard on 6th August, 2022 which is yet to be considered. The petitioner prays for a direction upon the authority to consider the complaint at the earliest.

It is submitted on behalf of the respondents that the 3rd respondent be directed to consider the complaint, 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 complaint submitted by the petitioner dated 6th August, 2022 within two weeks from the date of communication of this order upon affording reasonable opportunity of hearing to all the interested persons including the petitioner, in accordance with law.

The decision taken by the authority shall be communicated to the petitioner within a week thereof.

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.)