

**15.12.2023**

**Ct. 35**

Sd. 24.

**WPA 21628 of 2018**

**Abdur Rashid Vs. State of West Bengal & Ors.**

Mr. P.S. Bhattacharrya, learned Sr. Advocate,  
Kazi Sajjad Alam  
Ms. Afsana Khatun

..For the petitioner.

The petitioner is the owner with respect to the premises situated at Suri Chadnipara, P.O. and P.S – Suri, District – Birbhum.

He happened to be the lessor of respondent nos. 1 and 2, Consumer Affairs and Fair Business Practices, Govt. of West Bengal through the deed of lease which was lastly extended and was effective till 01.08.2008.

According to the petitioner, even since thereafter the said respondents continued occupying his landed property as above. His grievance in the present writ petition is that he is being deprived of the adequate rent with respect to the said property, which has been leased out to the respondent authorities.

In support of his claim, he has relied on letter dated 19.04.2018 written by the Special Land Acquisition Officer, Birbhum to the Assistant Director,

Consumer Affairs & Fair Business Practices, Birbhum  
Regional Office, Chandnipara, Suri, Birbhum.

Mr. Bhattacharrya, learned senior counsel appearing for the petitioner by referring the said letter has stated that rent in respect of the petitioner's premises has been assessed @ 19,469/- p.m. with effect from 01.02.2018. He indicates that the contention of the said document dated 19.04.2018 in one hand suggests about occupation by the respondent authorities as to the premises of the petitioner, and on the other hand, regarding that the rent payable with respect to the said property, has to be enhanced, as per the norms settled therein.

He has further taken this Court to the representation made by the writ petitioner before the respective respondent authorities, dated 24.08.2018, where the writ petitioner has prayed for due consideration of enhancement of the rent for the said leasehold property of the respondents in terms of the letter dated 19.04.2018.

The innocuous prayer made by the petitioner is for a direction upon the respondent authorities to consider and dispose of his representation dated 24.08.2018 within the shortest possible time.

None appears for the respondents, even after due service of notice. Hence, this order is being delivered, in absence of the respondents.

Let the respondent no. 3, the District Magistrate, Birbhum consider the representation of the writ petitioner dated 24.08.2018 and dispose of the same with a reasoned order after affording an opportunity of hearing to the writ petitioner as well as any other persons as he thinks fit and proper.

The entire exercise as above should be completed by the said respondent no. 3 within a period of six weeks from the date of communication of this order.

The writ petitioner is at liberty to submit any document at the time of hearing, as necessary for proper disposal of his case.

With the above directions, the writ petition is disposed of.

Urgent photostat certified copy of this order be supplied to the parties on priority basis, if applied for.

**( Rai Chattopadhyay J. )**