

December 6, 2023
ARDR (491)

WPA 22174 of 2023

Lakshman Chandra Mondal
Vs.
The State of West Bengal & Ors.

Adv. Raj Kumar Sain,
Adv. Sandipan Maity,

...for the petitioner.

Adv. Dyutimay Paul,
Adv. Biswajit Mal,

...for the respondent nos. 8 & 9.

Adv. Ayan Banerjee,
Adv. Indrani Nandi,

...for the State.

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

The petitioner claims to be the recorded owner of
the plot in question and complains that the private
respondents have raised unauthorised construction by
encroaching upon a portion of Government land
adjoining his plot, thereby obstructing his egress and
ingress.

The petitioner submitted a representation before
the concerned authority on 23rd August, 2023 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 3rd respondent be directed to consider the
representation in accordance with law.

In view of the above, the writ petition is disposed of directing the 3rd respondent to consider and dispose of the representation submitted by the petitioner dated 23rd August, 2023 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 above observation and direction, the writ petition 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.)