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jdt.

24.11.2023
jb.

W.P.A. 24720 of 2022
(Pranab Kumar Dolai vs. State of West Bengal & Ors.)

Mr. Dyutiman Banerjee
Mr. Salil Kr. Maiti
.... For the Petitioner
Mr. Ashim Kr. Ganguly
Mr. Tarak Karan
.... For the State
Ms. Srabani Biswas
Ms. A. Maji
.... For the Respondent Nos. 10-12

The petitioner claims to be the recorded owner of Plot No.1604, at present renumbered as 1556 in Mouza Dhekua, J. L. No. 13 and complains that the private respondents have raised unauthorised construction by encroaching upon the PWD land adjoining his plot, thereby obstructing his egress and ingress. The petitioner submitted a representation before the concerned authority in this regard on 5th September, 2022 which is yet to be considered. The petitioner prays for a direction upon the authority to consider the representation at the earliest.

Learned counsel for the private respondents submits that the construction raised by the private respondents has not obstructed the egress and ingress

of the petitioner in any manner. Also, it is to be determined as to whether any portion of the PWD land has been encroached upon by the private respondents.

Learned counsel for the State respondents submits 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 5th September, 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.

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.)