

June 13, 2023
(24) ARDR

WPA 24835 of 2022

Krishna Prasad Bhattacharya
Vs.
The State of West Bengal & ors.

Adv. Salill Kumar Maiti,
...for the petitioner.

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

None appears for the State respondent, despite service.

Mr. Chandi Charan De, who usually appears for the State and is present in Court today, is requested to represent the State in this matter.

His appointment be regularised by the office of the learned Legal Remembrancer.

The petitioners are directed to serve copy of the writ petition along with annexures thereto upon Mr. De in course of this day.

The petitioner complains unauthorised construction made by the private respondents by encroaching upon a portion of the PWD road adjoining his property, thereby obstructing his egress and ingress. The petitioner submitted a representation before the concerned authority in this regard on 20th September, 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 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 20th 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.

With the aforesaid directions, WPA 24835 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.)