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jdt.

**10.02.2023**  
jb.

**W.P.A. 25296 of 2022**  
(Rafikul Islam and Anr. vs. State of West Bengal & Ors.)

**Mr. Robiul Islam**  
**Mr. Raju Mondal**

**.... For the Petitioners**

**Sk. Mujibar Rahman**  
**Mr. Benazir Ahmed**

**.... For the State**

Affidavit of service filed on behalf of the petitioners is taken on record.

None appears for the private respondent despite service.

The petitioners allege that the private respondent has raised unauthorised construction by encroaching upon P.W.D. land adjoining their property thereby obstructing their egress and ingress. The petitioners submitted a representation in this regard before the concerned authority on 8<sup>th</sup> June, 2022 which is yet to be considered. The petitioners pray for a direction upon the authority to consider the representation at the earliest.

It is submitted on behalf of the State respondents that the 2<sup>nd</sup> respondent be directed to consider the representation, in accordance with law.

In view of the above, the writ petition is disposed of directing the 2<sup>nd</sup> respondent to consider and dispose

of the representation submitted by the petitioners dated 8<sup>th</sup> June, 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 petitioners and the private respondent, in accordance with law. In the event the allegation of the petitioners is found to be correct necessary steps be taken by the authority in this regard at the earliest.

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.)**