

02.02.2023
rc/ct.no.10
Item No.68

WPA No. 25451 of 2022

Mr. Dilip Kumar Sinha ...for the petitioner

Mr. Chandi Charan De
Mrs. Reshmi Rahaman ...for the State

Mr. Bhaskar Manna ..for the respondent nos. 7&8

Affidavit of service filed in Court today is taken on record.

The petitioner claims to be the recorded owner of the plot in question which is situated adjoining the road constructed under Pradhanmantri Gram Sarak Yojana and complains that the private respondents have raised unauthorised construction by encroaching upon a portion of the said road, thereby obstructing his ingress and egress. The petitioner submitted a representation before the concerned authority in this regard on 13th July, 2022 which is yet to be considered.

The petitioner prays for a direction upon the concerned authority to consider the representation at the earliest.

It is submitted on behalf of the private respondents that the private respondents have their shop rooms in an unutilised portion of the Government road for a long time.

It is submitted on behalf of the State-respondents that the 3rd respondent be directed to consider the

representation submitted by the petitioner 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 on 13th July, 2022 within a period of two months from the date of communication of this order after affording reasonable opportunity of hearing to all the interested persons including the petitioner and the private respondent, in accordance with law.

With the above observations and directions this writ petition is disposed of.

There shall be, however, 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 furnished to the parties upon compliance of necessary formalities.

(Suvra Ghosh,J)