

WPA 25826 of 2022

Khadija Begam

Vs.

The State of West Bengal & Ors.

Mr. Chinmay Pal
Mr. Archan Dutta ...for the petitioner.

Mr. Malay Singh
Mr. Bibekananda Tripathy ...for the State.

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

None appears for the private respondents despite service.

On prayer of the petitioner liberty is granted to implead the Assistant Engineer, Barasat Highway Division-I, Eastern Highway Circle, PWD (Roads) Directorate as respondent No.9 in the writ petition. The cause title of the writ petition be amended accordingly.

Heard learned counsels for the parties.

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 the PWD road adjoining his plot, thereby obstructing his egress and ingress.

The petitioner submitted a representation in this regard before the concerned authority on 8th September, 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 State respondents that the 9th respondent be directed to consider the representation, in accordance with law.

In view of the above, the writ petition is disposed of directing the 9th respondent to consider and dispose of the representation submitted by the petitioner dated 8th 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 above observations and directions the writ petition being WPA 25826 of 2022 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.)