

540
21.12.2023
Ct. No.10
b.das

WPA 25970 of 2023

Rakhal Parui
Vs.
The State of W.B. & Ors.

Mr. Mohinur Rahaman
Ms. Iqra Rahaman ...for the petitioner.

Mr. Chandi Charan De
Ms. Reshma Chatterjee ...for the State.

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

None appears for the private respondents despite service.

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 property, thereby obstructing his egress and ingress.

The petitioner submitted a representation in this regard before the concerned authority on 26th September, 2023, which is yet to be considered. The petitioner prays for a direction upon the concerned authority to consider the representation at the earliest.

Learned counsel for the State respondents submits that the 5th respondent be directed to consider the representation, in accordance with law.

In view of the above, the writ petition is disposed of directing the 5th respondent to consider and dispose of the representation submitted by the petitioner dated 26th September, 2023 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 is disposed of.

There shall, however, 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.)