

01.02.2023
rc/ct.no.10
Item No.63

WPA No. 27042 of 2022

Mr. M.Kr. Das
Mr. A. Mondal
Mr. T. Shill
Mr. M. Hossain ...for the petitioner

Mr. Soumitra Bandyopadhyay
Mr. Subhasis Bandyopadhyay ...for the State

Mr. Amanul Islam
Mr. Sourav Mukherjee...for the respondent nos.8&9

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

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 ingress and egress. The petitioner has submitted a representation before the concerned authority on 28th August, 2019 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 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 on 28th August, 2019 within a period of 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 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)