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31.07.2023
Ct. No.2
b.das

**IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri
Constitutional Writ Jurisdiction**

WPA No. 1511 of 2023

Parvati Gupta
Vs.
The State of W.B. & Ors.

Mr. Nripen Das
Mr. Debanjan Das ...for the petitioner.

Mr. Subir Kr. Saha
Ms. Bedashruti Bose ..for the State.

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

None appears for the 4th respondent despite service.

The petitioner claims to be an old ailing lady and acquired title in respect of the property in question by a deed of conveyance executed on 24th December, 1992 and her name has been accordingly mutated in respect of the same.

The petitioner submits that due to torrential rain and massive landslide, the guard wall which supports the house of the petitioner has collapsed, thereby leaving the house at a precarious state.

The panchayat authorities started construction of the guard wall, but such construction was

abandoned in the midway due to reasons best known to them.

The petitioner seeks to submit a comprehensive representation ventilating her grievance before the concerned authority and prays for direction upon the concerned authority to consider the representation at the earliest since delay in construction of the guard wall shall result in collapse of her house thereby endangering life and property.

Learned counsel for the State respondents submits that the 2nd 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 with liberty to the petitioner to submit a comprehensive representation before the concerned authority within 7 days from date. The 2nd respondent is directed to consider and dispose of the representation within two weeks from the date of receipt thereof after granting reasonable opportunity of hearing to all the interested persons including the petitioner, in accordance with law.

The decision taken by the authority shall be communicated to the petitioner within a week thereof.

With the above observations and directions the writ petition being WPA 1511 of 2023 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.)