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jdt.

01.03.2024
jb.

WPA 165 of 2024
(Sk. Ali Hossain & Anr. vs. State of West Bengal & Ors.)

Mr. Pankaj Halder
Mr. Tapas Manna
Mr. Neilabha Bera
Mr. Bilas Ghosh

.... For the Petitioners

Affidavit of service filed on behalf of the petitioners is taken on record.

None appears for the respondents despite service.

Mr. Chandi Charan De who is present in Court and usually appears for the State is requested to represent the State in this matter along with a junior of his choice. The appointment of Mr. De, learned advocate and Mr. Anirban Sarkar, learned advocate be regularised by the office of the learned Legal Remembrancer. Copy of the writ petition along with annexure thereto be served upon Mr. De in course of the day.

The petitioners claim to be the recorded owners of the plot in question and complain that the private respondent is raising unauthorised construction by encroaching upon a portion of the PWD land adjoining

their plot thereby obstructing their egress and ingress. The petitioners submitted a representation in this regard before the concerned authority on 11th December, 2023 which is yet to be considered. The petitioners pray for a direction upon the authority to consider the representation at the earliest.

Learned counsel for the State respondents submits that the 4th respondent be directed to consider the representation in accordance with law.

In view of the above, the writ petition is disposed of directing the 4th respondent to consider and dispose of the representation submitted by the petitioners dated 11th December, 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 petitioners and the private respondent, in accordance with law.

There shall be no order as to costs.

Since no affidavit has been invited, allegations contained in the writ petition shall be deemed not to have been admitted.

Urgent certified website copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

(Suvra Ghosh, J.)