

10.04.2024
rc/ct.no.10
Item No.752

WPA No. 502 of 2024
Sri Sukumar Das
Versus
The State of West Bengal & Ors.

Syed Shamsul Arefin ...for the petitioner

Mr. Ayan Banerjee ...for the State

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

The petitioner claims to be recorded owner of the plot in question and submits that the respondents have been trying to construct a road over the petitioner's plot without acquiring the same by due process of law and have already constructed a drain therein. The petitioner seeks to submit a comprehensive representation before the concerned authority in this regard and prays for a direction upon the authority to consider the representation at the earliest.

It is submitted on behalf of the State respondents that the 2nd respondent be directed to consider the representation 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 2nd respondent ventilating his grievance within 7 days from date. The 2nd respondent is directed to consider and dispose of the representation

within six weeks from the date of receipt thereof after affording reasonable opportunity of hearing to all concerned including the petitioner, in accordance with law.

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

Pending disposal of the representation, no further construction shall be made by the respondents by encroaching upon any portion of the petitioner's land.

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)