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jdt.

29.01.2024

jb.

W.P.A. 661 of 2024
(Prabir Mondal & Ors. vs. State of West Bengal & Ors.)

Mr. Debabrata Sardar
... For the Petitioners

Mr. Chandi Charan De
Mr. Sanjib Das
... For the State

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

None appears for the 8th respondent despite service.

The petitioners claim to be the recorded owners of land adjoining the Thakuran river and complain that the 4th respondent along with the local Panchayat authorities has started digging earth from the petitioners' land for the purpose of reforming the river without acquiring the land by due process of law. The petitioners seek to submit a comprehensive representation before the 4th respondent in this regard and pray for a direction upon the said respondent to consider the representation at the earliest.

Learned 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 with liberty to the petitioners to submit a

comprehensive representation before the 4th respondent within two weeks from date. The 4th respondent is directed to consider and dispose of the representation within two weeks from the date of receipt thereof upon affording reasonable opportunity of hearing to all concerned including the petitioners, in accordance with law.

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

Pending disposal of the representation the respondent authorities are restrained from causing any further encroachment upon the petitioners' land in any manner whatsoever.

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.)