

22.02.2024

Ct. no.654

Sl. No.182

ss

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION**

**WPA 3110 of 2023
(Specially Assigned)**

**Asesh Mondal & ors.
Vs.
The State of West Bengal & Ors.**

Md. G. N. Imrohi

..for the petitioner

Mr. Ansar Mondal, Ld. AGP

Ms. Somashree Dey

..for the State

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

Md. G. N. Imrohi, learned Advocate for the petitioners submits that the petitioners got the land within Plot No. 2312, Mouza - Islampur by way of inheritance which is situated besides PWD road. The private respondents have made unauthorised construction on the side of the PWD road which affected the ingress and egress of the petitioners. The petitioners made a representation before the concerned authority for redressal of their grievance, which was received on 23rd December, 2022. However, till date such representation of the petitioners have not been considered. He seeks appropriate order for consideration of such representation of the petitioners.

Mr. Ansar Mondal, learned Additional Government Pleader submits that direction be passed upon the

respondent no.3, the Executive Engineer, Public Works Department, Berhampore, for consideration of the representation of the petitioners.

Having heard the learned Advocates for the respective parties, the respondent no.3, the Executive Engineer, Public Works Department, Berhampore, is directed to consider the representation of the petitioners received on 23rd December, 2022 within a period of two months from the date of communication of this order after giving opportunity of hearing to all the concerned parties including the petitioners by passing a reasoned order, in accordance with law.

The result of the disposal of the representation shall be communicated to the petitioners within a week thereof.

Petitioners are directed to communicate this order to the respondent no.3, the Executive Engineer, Public Works Department, Berhampore along with copy of aforesaid representation.

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

It is made clear that the Court has not gone into the merits of the case.

With the above directions, this writ petition being **WPA 3110 of 2023** stands disposed of along with all connected applications, if any.

There will be, however, no order as to costs.

Interim order, if any, stands vacated.

All concerned parties shall act in terms of the copy of the order duly downloaded from the official website of this Court.

Urgent photostat copy of this order, if applied for, be given to the parties upon compliance of necessary legal formalities.

(Bivas Pattanayak, J.)