

13.02.2024
rc/ct.no.10
Item No.614

WPA No. 3554 of 2024
Susanta Manna & Anr.
Versus
State of West Bengal & Ors.

Mr. Dilip Kumar Sinha ...for the petitioners

Mr. Chandi Charan De ...for the State

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

None appears for the private respondent and State respondents despite service.

Mr. Chandi Charan De, learned advocate, who usually appears on behalf of the State respondents and is present in Court today, is requested to represent the State respondents in this matter. The office of the learned Legal Remembrancer is requested to regularise the service of Mr. De in this matter.

The petitioners are directed to serve a copy of this application along with annexures thereto upon Mr. De in course of this day.

The petitioners claim to be the recorded owners of the plot in question which is situated adjacent to the dam of river Rupnarayan. The petitioners complain that the private respondents have raised unauthorised construction by encroaching upon the said dam adjacent to the petitioners' plot, thereby obstructing their ingress and egress. The petitioners submitted several representations before the concerned authority in this regard which fell on

deaf ears. The petitioners finally submitted representation before the authority on January 31, 2024 which has also not been considered. The petitioners pray for a direction upon the concerned authority to consider the said representation at the earliest.

It is submitted on behalf of the State respondents that the 3rd respondent be directed to consider the representation in accordance with law.

In view of the above, the writ petition is disposed of directing the 3rd respondent to consider and dispose of the representation submitted by the petitioners on January 31, 2024 within a period of three months from the date of communication of this order, after giving reasonable opportunity of hearing to all the interested persons including the petitioners and the private respondents, in accordance with law.

With the above observations and directions this writ petition is disposed of.

There shall however 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 furnished to the parties upon compliance of necessary formalities.

(Suvra Ghosh,J)