

17 25.11.24

WPA 6642 of 2024

Sk. Akbar Ali & Ors.

Vs.

State of West Bengal & Ors.

**Mr. Agniswar Bhuiyan
Ms. Baisakhi Singha Roy
Mr. A. Singha
Mr. S. K. Majhi
Mr. A. Das Sarma**

... For the Petitioners.

**Ms. Munmum Ganguly
Ms. Rupsha Chakraborty**

... For the State.

The grievance of the petitioner is directed against illegal and unauthorized construction by the State respondents.

On behalf of the State respondents, it is submitted that the impugned construction has been initiated by the Public Works Department, State of West Bengal and is in accordance with law. Moreover, there is no portion of the land belonging to the petitioners, which has been constructed upon.

In such circumstances, the writ petition is liable to be dismissed.

The report filed on behalf of the State be kept with the records. The State respondent is directed to serve a copy of the report on the petitioners. A copy of the report filed on by the State respondents is handed over to

the Advocates on behalf of the petitioners.

In view of the nature of allegations which have been raised by both the parties, WP 6642 of 2024 stands disposed of by granting liberty to the petitioners to file a comprehensive representation with the respondent no. 7 within two weeks from date. If such proposed representation is filed, the respondent no. 7 is directed to dispose of the same within a period of six weeks from the receipt of the communication of the representation.

It is made clear that there has been no adjudication on merits of the case and all questions are left open to be decided by the respondent no. 7 in accordance with law.

It is also made clear that above representation be positively filed within one week from date and in accordance with law.

(Ravi Krishan Kapur, J.)

