

D/L. 1.
June 27, 2024.
MNS.

WPA No. 7593 of 2023

Sk. Nasir and others
Vs.
The State of West Bengal and others

Mr. G. F. Hossain,
Ms. Varsha Roy

... for the petitioners.

Mr. Santanu Kumar Mitra,
Mr. Subhabrata Das

...for the State.

Mr. Swapan Banerjee,
Mr. Supratim Dhar

...for the MKDA.

The grievance of the petitioners pertains to illegal and unlawful construction by the Medinipur Kharagpur Development Authority (in short “MKDA”). It is submitted that the respondent authorities have initiated illegal and unlawful construction on a portion of the land belonging to the petitioner.

On behalf of the MKDA, it is submitted that the aforesaid land alleged to belong to the petitioners is public land and the MKDA has initiated construction activities in view of the larger public interest for the benefit of the local residents. It is also submitted that the land is

public land and the MKDA has been uninterruptedly using the land for a long time.

The State is unable to take any stand in respect of the aforesaid premises and submits that they have been unable to ascertain whether the land belongs to the petitioners or the statutory respondents.

Admittedly, despite repeated representations dated January 16, 2023 and February 20, 2024 respectively, the grievance of the petitioners has not been considered by the respondent authorities. It is further submitted on behalf of the petitioners that the respondent no. 2, being the District Magistrate and Collector, Paschim Medinipur, be directed to consider and dispose of the representations made on behalf of the petitioners.

All the parties submit that the writ petition be disposed of by directing the respondent No. 2 to consider and dispose of the representations made on behalf of the petitioners.

In view of the submissions made on behalf of the parties, WPA No. 7593 of 2023 is disposed of by directing the respondent No. 2 to consider and dispose of the representations of the petitioners in accordance with law without being influenced by any observations on the merits of the case.

Needless to mention that in considering the representations, the respondent No. 2 i.e. the District Magistrate and Collector, Paschim Medinipur, shall give a right of hearing to all the affected parties, including the local residents.

(Ravi Krishan Kapur, J.)