

April 9, 2024
(20) ARDR

WPA 8073 of 2022

Badal Chandra Gayen
Vs.
The State of West Bengal & ors.

Adv. Soumen Bhattacharya,
Adv. Ankan Das,

...for the petitioner.

Adv. Soumitra Bandyopadhyay,
Adv. Ram Chandra Guchait,

...for the State.

On prayer of the petitioner, liberty is granted to correct the nomenclature of the 4th respondent in the cause title of the writ petition.

The cause title of the writ petition be amended accordingly.

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

None appears for the private respondents despite service.

The petitioner claims to be the recorded owner of the plot in question and submits that the private respondents are trying to raise unauthorised construction by encroaching upon PWD road adjoining his property, thereby obstructing his egress and ingress. The petitioner seeks to submit a comprehensive representation in this regard before the concerned authority and prays for a direction upon the authority to consider the representation at the earliest.

Learned counsel 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 petitioner a comprehensive representation before the 4th respondent within seven days from date. The 4th respondent is directed to consider and dispose of the representation within three months from the date of receipt thereof upon affording reasonable opportunity of hearing to all concerned including the petitioner and the private respondent, in accordance with law.

With the aforesaid directions, the 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 have been admitted.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)