

13.06.2024
Item No. 4
Crt.No.22
b.r.

WPA 9488 of 2024

Sabitri Roy Barman

-vs-

The State of West Bengal & Ors.

Mr. Kalyan Kumar Chakraborty

Mr. Vivek Kumar Pandey

Mr. Gopal Krishna Sarkar

..... for the petitioner.

Mr. Santanu Kumar Mitra, SGA

Mr. Subhabrata Das

.... For the State.

Mr. Pradip Kr. Roy

Ms. Rituparna Maitra

... for the Registrar.

Mr. Kalyan Kumar Chakraborty, learned counsel appearing for the petitioner referring to a representation dated **December 1, 2023 at page 33** to the writ petition submits that the same has not yet received the attention of the respondent no.3. He submits that at this stage if this representation is considered strictly in accordance with law, the petitioner's grievance will be satisfied.

Mr. Santanu Kumar Mitra, learned State counsel appears for respondent nos. 1 to 3.

Mr. Pradip Kumar Roy, learned counsel appears for the added respondent no.7.

The other respondents are not represented.

Considering the submissions made on behalf of the parties and upon perusal of the materials on record, to sub-serve justice, the **respondent no.3** is directed

upon issuing a prior hearing notice of at least seven days to the petitioner and all other stake holders/interested parties and upon giving them an opportunity of hearing shall decide the said representation dated **December 1, 2023 at page-33** to the writ petition by passing a reasoned order.

The entire exercise as directed above shall be carried out and completed by the respondent no.3 positively within a period of **six weeks** from the date of communication of this order.

The **respondent no.3** then shall communicate its reasoned order to the petitioner and all the stake holders/interested parties positively within a further period of **two weeks** from the date of the said reasoned order to be passed.

It is made clear that this Court has not gone into the merits of the writ petition. The petitioner and the stake holders/interested parties shall be at liberty to urge whatever points they wish to urge by relying upon whatever records and documents they wish to rely upon before the before the respondent no.3 **but the same shall not travel beyond the scope of the said representation dated December 1, 2023 as referred to above.**

It is made clear that this order shall not create any equity or right in favour of the petitioner or in favour of any of the interested parties if they are not

eligible to receive any relief on the basis of the said representation strictly in accordance with law.

Since affidavits are not called for, the allegations made in the writ petition are deemed not to have been admitted by the respondents.

In the event, the reasoned decision goes in favour of the petitioner the concerned authorities shall give an immediate and consequential effect thereto but positively within a period of **four weeks** from the date of communication of the said reasoned order.

On the above terms, this writ petition, **WPA 9488 of 2024** stands **disposed of**, without any order as to costs.

(Aniruddha Roy, J.)