

04-12-2024
Item No.7
Subrata
Bhattacharyya
AR(C)

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
Appellate Side

WPA No.9768 of 2024
Nikhil Singha Mahapatra
-vs-
The State of West Bengal & Ors.

Mr. Lakshminath Bhattacharya
Mr. Rajib Kumar Acharyya
Mr. Banshi Badan Maity ...for the petitioner

Mr. Lalit Mohan Mahata
Mr. Prasanta Behari Mahata ...for the State

Mr. Debrup Choudhury
Mr. Arkapravo Roy ...for respondent no.10

Md. Sabir Ahmed
Mr. Tasnim Ahamed
Mr. Dhiman Banerjee...for respondents no.11 & 13

The grievance of the petitioner is directed against illegal and unauthorized construction by the private respondents. It is submitted on behalf of the petitioner that despite a representation dated March 17, 2024, the concerned respondents and more particularly the Pradhan being respondent no.10 has taken no steps in the matter.

The Pradhan is represented and submits that they have no objection in considering and disposing of the petitioner's representation as expeditiously as possible.

The private respondents are represented and submit that there is a civil suit pending between the parties and that there is no construction at the subject premises.

The State is represented and submits that the

prayers in the writ petition are misconceived and not tenable.

In view of the above, WPA No.9768 of 2024 stands disposed of by directing the Pradhan, the respondent no.10 herein, to consider and dispose of the representation dated March 17, 2024 within a period of six weeks from the date of communication of this order and in accordance with law, after giving a right of hearing to all the parties.

It is made clear that there has been no adjudication on the merits of the case and the respondent no.10 is to act strictly in accordance with law without being influenced by any observation made hereinabove and after hearing all the parties.

Affidavit-in-opposition filed on behalf of the private respondents be taken on record.

All parties are to act on the server copy of this order duly downloaded from the official website of this court.

Certified copy of this order, if applied for, shall be made available to the parties.

[Ravi Krishan Kapur, J]

