

D/L.13.
November 26, 2024.
KAUSHIK

WPA No. 10378 of 2024

Mintu Mithiya & Anr.
Vs.
The State of West Bengal and Others

Ms. Debjani Sengupta
Ms. Poulomi Ghosh

... for the petitioner.

Mr. Nirmalya Das

... for the respondent nos. 6 to 8.

Mr. Lalit Mohan Mahata
Mr. Prasanta Behari Mahata

...for the State.

Affidavit of Service filed in Court be kept
with the records.

The grievance of the petitioners is directed
against an alleged illegal and unauthorized
construction of a wall on the public pathway,
which is used by the petitioner as well as all the
other local villagers.

It is submitted by the petitioner that though
the petitioner has made a representation dated
March 11, 2024, nevertheless the respondent no.
4 has deliberately failed and neglected to dispose
of the same.

The State respondents are represented
and submit that they have no objection if the

respondent no. 4 is directed to consider and dispose of the representation of the petitioner dated March 11, 2024 in accordance with law.

The private respondents are represented and disputes the submissions made on behalf of the petitioners.

In view of the fact that the representation was filed as far back as on March 11, 2024 and has not yet been disposed of, WPA 10378 of 2024 is disposed of by directing the respondent no. 4 to consider and dispose of the representation of the petitioners dated March 11, 2024 within a period of six weeks from the date of communication of this order to the respondent no.4 after giving a right of hearing to all the affected parties including the petitioners, in accordance with law and without being influenced by any observation or direction in this order.

It is made clear that there has been no adjudication on the merits of the case and all questions are left open to be decided by the respondent no. 4 in accordance with law.

Since, no affidavits have been called for, the allegations contained in the writ petition are deemed to have not been admitted by the respondents.

There shall be no order as to costs.

Urgent Photostat certified copy of this order, if applied for, be made available to the parties upon compliance of necessary formalities.

(Ravi Krishan Kapur, J.)