

March 4, 2024
ARDR (43)

WPA 9286 of 2022

Smt. Supriya Dhar
Vs.
State of West Bengal & ors.

Adv. Purnendu Das,
Adv. Gitika Malick

...for the petitioner.

Adv. Ansar Mandal,
Adv. Srilekha Bhattacharyya,

...for the State.

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

None appears for the 4th and 5th respondents despite service.

It is contended on behalf of the petitioner that upon acquiring title and possession in respect of the plot in question by virtue of a registered deed of conveyance dated May 25, 2001 and obtaining sanction plan from the relevant authority the petitioner starting raising construction of a residential building in the plot. The Forest Beat Officer, Ballavpur Beat, being the 2nd respondent herein, issued notice upon the petitioner on 22nd January, 2022 directing her to stop illegal construction within the eco- sensitive zone (100 meters from forest boundary fencing) of Ballavpur wildlife sanctuary immediately. The petitioner seeks to submit a comprehensive representation before the concerned authority in this regard stating all relevant facts and annexing the required documents and prays for a

direction upon the authority to consider her representation at the earliest.

Learned counsel for the State respondents submits that the 2nd 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 to submit a comprehensive representation before the 2nd respondent within two weeks from date. The 2nd respondent is directed to consider and dispose of the representation within four weeks from the date of receipt thereof upon affording reasonable opportunity of hearing to all concerned including the petitioner, in accordance with law.

The decision taken by the authority shall be communicated to the petitioner within a week thereof.

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 be 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.)