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25.06.2024
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IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

W.P.A. No. 10904 of 2022

Fakruddin Mallik & Ors.
Vs.
The State of West Bengal & Ors.

Mr. Dyutiman Banerjee
Mr. Salil Kumar Maity
...for the petitioners

Mr. Chandi Charan De, learned AGP
Mr. Anirban Sarkar
...for the State

The grievance of the petitioners is directed against alleged illegal excavation by the private respondent nos. 12 to 15.

It is submitted on behalf of the petitioner that despite representations made to different statutory authorities, there is no consideration of their representations.

It is further submitted on behalf of the petitioners that the respondent nos. 12 to 15 are illegally and wrongfully carrying out excavation activities in the land belonging to the petitioner.

Despite service, none appears on behalf of private respondents nor is any accommodation sought for on their behalf.

The State is represented and submits that they have no objection if the respondent no. 3 is directed

to consider and dispose of the representation filed by the respondent.

In view of the above, the present writ petition stands disposed of by directing the respondent no. 3 to consider the representation of the petitioner dated May 20, 2022 after giving a right of hearing to all the affected parties including due notice to the private respondents.

The aforesaid exercise is to be completed within a period of 12 weeks from the date of communication of this order.

With the above directions, WPA 10904 of 2022 stands disposed of.

In considering the above representation, the respondent no. 2 is not be influenced by any observation made in this order.

(Ravi Krishan Kapur, J.)