

January 09, 2024
ARDR (498)

WPA 14488 of 2023

Kamal Chowdhury
Vs.
The State of West Bengal & ors.

Adv. A. H. Molla,
Adv. Riya Das,

...for the petitioner.

Adv. Supratim Dhar,
Adv. Biswajit Das,

...for the State.

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

The petitioner seeks consideration of his
representation pending before the Block Land & Land
Reforms Officer, Mongolkote, West Bengal.

Learned counsel submits that the plot in question
was gifted to the petitioner by his father. The plot is low
lying land and is not suitable for cultivation due to
frequent waterlogging therein since the other owners
havng land adjacent to the petitioner's land have filled
up their lands, resulting in water accumulation and soil
erosion in the petitioner's land. The petitioner submitted
a representation before the concerned authority on 16th
May, 2023 seeking permission to raise the level of his
land in order to make the land fit for cultivation. The
representation is yet to be considered. The petitioner
prays for a direction upon the authority to consider the
representation at the earliest.

Learned counsel for the respondents submits that the 4th respondent be directed to consider the representation in accordance with law.

In view of the above, the writ petition is disposed of directing the 4th respondent to consider and dispose of the representation submitted by the petitioner dated 16th June, 2023 within one month from the date of communication of this order 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 observations and 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.)