

D/L.5.
March 11, 2024.
MNS.

WPA No. 17326 of 2021

Sri Deep Niranjana Sinha and another
Vs.
West Bengal Housing Board, and others

Mr. Pratyush Ghosh

... for the petitioners.

Mr. Paritosh Sinha,
Mr. Amitava Mitra,
Ms. Antara Choudhury

...for the WBHB.

1. Affidavit-of-service filed in Court today be kept on record.
2. Learned counsel for the petitioners submits that the petitioner no. 1 is a septuagenarian. It is contended that the petitioners were to be allotted a garage space. However, the same has not yet been allotted, causing grave difficulties to the petitioners.
3. Learned counsel for the respondent authorities submits that there is an inordinate delay in moving court. Moreover, the petitioners have not made full payments.
4. Learned counsel for the petitioners cites an unreported judgement of this Court passed in *WPA No. 6385 of 2022 dated February 28, 2024 (Sri Tarit Kumar Chakravorty Vs. West Bengal Housing Board and others)*, where

under similar circumstances, a direction was given to decide the representation of the petitioner therein.

5. Since there are certain disputes raised by the respondent authorities regarding payment, which is counter disputed by the petitioners, the matter cannot be resolved on merits.
6. However, in view of the advanced age of the petitioners, it is incumbent that the respondent authorities consider the writ petitioners' representations and take a reasoned decision at the earliest.
7. Accordingly, WPA No. 17326 of 2021 is disposed of by directing the respondent no. 2, that is, the Commissioner, West Bengal Housing Board, to consider the representations given by the petitioners, which are annexed to the writ petition, at the earliest, positively within three weeks from date, upon giving an opportunity of hearing to the petitioners and other interested parties, if any.
8. Immediately thereafter, the respondent no. 2 shall communicate its decision by way of a reasoned order in writing to the petitioners.
9. In the event there is no further dispute, the respondent no. 2 shall take immediate steps for allotment of the garage to the petitioners.

10. However, if any dispute is raised regarding such allotment, the exact nature of the said dispute shall be enumerated in its order by the respondent no. 2 to the petitioners, whereupon the petitioners may take fresh steps in accordance with law.

11. There will be no order as to costs.

12. Urgent photostat certified copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Sabyasachi Bhattacharyya, J.)