

January 04, 2024
ARDR (5)

WPA 17359 of 2022

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CAN 2 of 2023

(Application is not in the file)

Manirul Khan & anr.

Vs.

The State of West Bengal & ors.

Adv. Golam Mastafa,
Adv. Tarasankar Samanta,
Adv. Subir Sabud,

...for the petitioners.

Adv. Satyajit Mondal,
Adv. Amit Bikram Mahata,

...for the respondent nos. 15,16, 19 & 20.

Adv. Chandi Charan De,
Adv. Anirban Sarkar,

...for the State.

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

The petitioners claim to be the recorded owners of the plot in question and submits that the private respondents have raised unauthorised construction by encroaching upon a portion of the Government land adjoining their property, thereby obstructing their egress and ingress. The petitioners seek to submit a comprehensive representation in this regard before the concerned authority and pray for a direction upon the authority to consider the representation at the earliest.

Learned counsel for the State respondents submits that the 10th 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 petitioners to submit a comprehensive representation ventilating their grievance before the 10th respondent within two weeks from date. The 10th respondent is directed to consider and dispose of the representation within three months from the date of receipt thereof upon affording reasonable opportunity of hearing to all the interested persons including the petitioners and the private respondents, in accordance with law.

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.)